

0008

BOX:

504

FOLDER:

4590

DESCRIPTION:

Walsh, James J

DATE:

11/10/92



4590

Witnesses:

Off. Burke (6-11-18)

This case was
tried and the jury
found M. for acquittal
in view of the facts
and the amount
of the amount I was
recommending his discharge
upon his own recognition.

Dec. 23/19
J. E. Foreman

Counsel,

Filed day of Dec 2
189
Plends, 11

THE PEOPLE

vs.

James J. Walsh

Grand Larceny, 1st Degree
(From the Person.)
[Sections 538, 539, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

Part 3, Dec 7/19
Tried and jury discharged
11 for acquittal

A TRUE BILL.

John E. Foreman
Part 3, Dec 6/19
Foreman.
Part 3, Dec 23/19
Jury discharged on trial
verdict before 22
Part 2, Dec 22

mvdg/c G.L.B.
G.L.B.

New York General Sessions.

PEOPLE ON MY COMPLAINT,
VERSUSJames W. Pollock

As complainant in the above case, I beg to recommend the defendant to such leniency and clemency as the Court and District Attorney may see fit to show; but I expressly assert that my reasons for so doing are not controlled by any advantage to myself.

I am a friend to all the virtuous and I ask that the defendant be discharged on his own recognizance. He has heretofore had an excellent character and I feel that he has been punished sufficiently and his arrest and imprisonment will be remembered by him as long as he lives.

Edward M. Pollock

0011

Police Court

District.

Affidavit—Larceny.

City and County } ss:
of New York,

of No. 27 Nassau Street, aged 45 years,
occupation Shoe findings being duly sworn,
deposes and says, that on the 5 day of November 1892 at the City of
New York, in the County of New York, was feloniously taken, stolen and carried away
from the possession of deponent, in the night time, the following property, viz:

One gold watch with
chain attached the value
being valued at One hundred
dollars \$ 100 ⁰⁰ ₀₀

the property of

Deponent

and that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloni-
ously taken, stolen and carried away by James Walsh

for the reasons following to-wit:
On the said date deponent
received the said property
from the precincts of the Court
which he then was and is
informed by Officer John J. Burke
that he Burke saw the defendant
seated near deponent and when
he Burke arrested the defendant
he found in his possession
the said watch and chain
which property deponent has since
seen and identified

Edmund A. Pollock

Sworn to before me, this 5 day

of November 1892
at New York City, New York
Justice.

00 12

CITY AND COUNTY }
OF NEW YORK, } ss.

aged _____ years, occupation _____ of No. _____

John J. Burke
reciner Street, being duly sworn deposes and
says, that he has heard read the foregoing affidavit of
and that the facts stated therein on information of deponent are true of deponents' own
knowledge.

Sworn to before me, this

day of _____

188

John J. Burke

John J. Burke

Police Justice.

00 13

Sec. 198-200

District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK, }

James J. Wabbe being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is his right to
make a statement in relation to the charge against him; that the statement is designed to
enable him if he see fit to answer the charge and explain the facts alleged against him
that he is at liberty to waive making a statement, and that his waiver cannot be used
against him on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live, and how long have you resided there?

Answer.

Question. What is your business or profession?

Answer.

Question. Give any explanation you may think proper of the circumstances appearing in the
testimony against you, and state any facts which you think will tend to your
exculpation?

Answer.

James J. Wabbe

Taken before me this

day of

1887

Police Justice.

00 14

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Defendant
guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, May 189 189 Police Justice.

I have admitted the above-named to bail to answer by the undertaking hereto annexed.

Dated, 189 Police Justice.

There being no sufficient cause to believe the within named guilty of the offense within mentioned, I order h to be discharged.

Dated, 189 Police Justice.

Police Court---

1395
1894
District.

THE PEOPLE &c,
ON THE COMPLAINT OF

James P. [unclear]
127 Warren
James Walsh

Arrested from [unclear]
Offense

BAILED,

No. 1, by _____
Residence _____ Street.

No. 2, by _____
Residence _____ Street.

No. 3, by _____
Residence _____ Street.

No. 4, by _____
Residence _____ Street.

2 _____

3 _____

4 _____

Dated, _____

189

Magistrate.

Officer.

Precinct.

Witnesses _____

No. _____ Street.

No. _____ Street.

No. _____ Street.

\$ *10.00* to answer _____

921 person

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

James J. Walsh

The Grand Jury of the City and County of New York, by this indictment, accuse

James J. Walsh
of the CRIME OF GRAND LARCENY in the *first* degree, committed as follows:
The said *James J. Walsh*

late of the City of New York, in the County of New York aforesaid, on the *fifth*
day of *November* in the year of our Lord one thousand eight hundred and
ninety- *two*, in the *night* time of the said day, at the City and County aforesaid,
with force and arms,

one watch of the value of
seventy dollars, and one chain
of the value of thirty
dollars

of the goods, chattels and personal property of one *Edward A. Pollock*
on the person of the said *Edward A. Pollock*
then and there being found, from the person of the said *Edward A. Pollock*
then and there feloniously did steal, take and carry away, against the form of the statute in
such case made and provided, and against the peace of the People of the State of New York
and their dignity.

Alfred H. [Signature]

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

James J. Walsh
of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

James J. Walsh

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms,

*one watch of the value of
seventy dollars and one chain
of the value of thirty dollars*

of the goods, chattels and personal property of one

Edward A. Pollock

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen, taken and carried away from the said

Edward A. Pollock

unlawfully and unjustly, did feloniously receive and have; the said

James J. Walsh
then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, taken and carried away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

00 18

BOX:

504

FOLDER:

4590

DESCRIPTION:

Walsh, Patrick D

DATE:

11/28/92



4590

340

Witness:
Officer Magg
W. H. P. C.

Counsel,
Filed, *W. H. P. C.*
day of 189,

Pleas, *W. H. P. C.*

THE PEOPLE

vs.

B

Gabriel W. Wadley

Transferred to the Court of Special Sessions for trial and final disposition

Part 2. N. Y. L. S. 1893

VIOLATION OF THE EXCISE LAW.
[Chap. 401, Laws of 1892, § 32].
Selling, etc., on Sunday.

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

John E. Foreman

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

Patrick W. Walsh

The Grand Jury of the City and County of New York, by this indictment, accuse

Patrick W. Walsh
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER ON SUNDAY, committed as follows:

The said

Patrick W. Walsh

late of the City of New York, in the County of New York aforesaid, on the *16th* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

Patrick W. Walsh
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND BEER, committed as follows:

The said

Patrick W. Walsh

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0021

BOX:

504

FOLDER:

4590

DESCRIPTION:

Wane, Frederick

DATE:

11/25/92



4590

256

Witnesses:

Jpr Sullivan 30th

Counsel,

Filed, 28th day of Nov 1892

Pleads,

Not guilty

THE PEOPLE

vs.

B

Frederick Wane

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 33.]

DE LANCEY NICOLL

Attorney at Law, New York City.

Part: 10. 1892

A TRUE BILL.

John E. Sullivan

Foreman.

Court of General Sessions of the Peace

1987

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Frederick Wane

The Grand Jury of the City and County of New York, by this indictment, accuse
of the CRIME OF *Frederick Wane* SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
BEER ON SUNDAY, committed as follows:

The said

Frederick Wane

late of the City of New York, in the County of New York aforesaid, on the
day of *September* 11th in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, to ~~one~~

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against
the form of the statute in such case made and provided, and against the peace of the People of
New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

of the CRIME OF *Frederick Wane* OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
WINES, ALE AND BEER, committed as follows:

The said

Frederick Wane

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
expose for sale to one

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the
form of the statute in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0024

BOX:

504

FOLDER:

4590

DESCRIPTION:

Ward, Edward

DATE:

11/09/92



4590

Witnesses:

Henry Bley
Emma Knickell
off Meekaw 14th

23

Counsel,

Filed

Pleads,

J. D. [Signature]
189
W. [Signature]

THE PEOPLE

vs.

Edward Ward

Burglary in the Third Degree,
Section 498, 502, 528, 533, 1910.

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. [Signature]
Foreman.

Foreman.

[Signature]

Ed. R. [Signature]
J. 25 18

Police Court— 3rd District.

City and County } ss.:
of New York,

of No. 131 East 3rd Street, aged 55 years,
occupation Saloon Keeper being duly sworn

deposes and says, that the premises No. 131 East 3rd Street, 17 Ward
in the City and County aforesaid the said being a dwelling house, the
apartments on the second floor of
and which was occupied by deponent as a dwelling
and in which there was at the time a human being, by name

were **BURGLARIOUSLY** entered by means of forcibly removing an
iron bar affixed to a window leading
from the hallway to the bedroom

on the 31st day of October 1895 in the day time, and the
following property feloniously taken, stolen, and carried away, viz:

A music box of the value of Thirty
two dollars

the property of deponent

and deponent further says, that he has great cause to believe, and does believe, that the aforesaid
BURGLARY was committed and the aforesaid property taken, stolen and carried away by

Edward Ward (now here)

for the reasons following, to wit: that the doors and windows
leading to said apartment were
locked and fastened and said
property was therein and at about
the hour of three o'clock in the after-
noon deponent found said apartment
broken and entered and said property
stolen and carried away. Deponent is
informed by Emma Newkell now here

that on said day, in the afternoon
 o'clock or thereabouts, the defendant
 brought a music box to her premises
 at 591 First Avenue, which music
 box defendant has since seen and
 identified it as his property stolen
 as aforesaid.

Sworn to before me
 this 3rd November, 1897

Henry R. Key

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been
 committed, and that there is sufficient cause to believe the within named
 guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of
 Hundred Dollars and be committed to the Warden and Keeper of the City Prison
 of the City of New York, until he give such bail.
 Dated 1888
 I have admitted the above named
 to bail to answer by the undersigned hereto annexed.
 Dated 1888
 There being no sufficient cause to believe the within named
 guilty of the offence within mentioned, I order he to be discharged.
 Dated 1888
 Police Justice.

Police Court, District,

THE PEOPLE, &c.,
 on the complaint of

Offence—BURGLARY.

vs.

1.
2.
3.
4.

Date,

1888

Magistrate.

Officer.

Clerk.

Witnesses,

No.

Street,

No.

Street,

No.

Street,

\$ to answer General Sessions.

0028

CITY AND COUNTY }
OF NEW YORK, } ss.

1921

aged 23 years, occupation Secretary of No. 591 First Ave Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Henry Bley and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 3 day, Emma Hendrick
of NYC 1899

[Signature] Police Justice.

0029

Sec. 198-200

CITY AND COUNTY OF NEW YORK { SS:

District Police Court.

Edward Ward being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Edward Ward

Question. How old are you?

Answer.

23 years.

Question. Where were you born?

Answer.

New York

Question. Where do you live and how long have you resided there?

Answer.

342 East 34th St.

Question. What is your business or profession?

Answer.

Brass finisher

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

I am not guilty
Edward Ward

Taken before me this
day of *May* 189*2*

Police Justice

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Alfredus

~~guilty thereof~~, I order that he be held to answer the same, and he be admitted to bail in the sum of Twenty Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, 22nd Dec 1897 W. E. Ryan Police Justice.

*I have have admitted the above-named.....
to bail to answer by the undertaking hereto annexed.*

Dated,.....*189*.....*Police Justice.*

There being no sufficient cause to believe the within named.....
.....guilty of the offense within mentioned, I order h to be discharged.

Dated, *189* *Police Justice.*

Dated,.....189.....*Police Justice.*

0031

Detective Supt
Mahoney -
Frank Edwards -

1383

Police Court,

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John E. ...
131 E 3rd St.
Crown Point

Officer
C. ...

2
3
4

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated, Nov 3 1892

Magistrate.

Officer.

Precinct.

Witnesses

No. 571 First Ave Street.

C. ...

No. Street.

No. Street.

\$ 2000 to answer

C. ...

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Edward Ward

The Grand Jury of the City and County of New York, by this indictment, accuse

Edward Ward

of the CRIME OF BURGLARY IN THE THIRD DEGREE, committed as follows:

The said

Edward Ward

late of the *17th* Ward of the City of New York, in the County of New York aforesaid, on the *thirty first* day of *October* in the year of our Lord one thousand eight hundred and ninety-*two*, with force and arms, in the *day* - time of the same day, at the Ward, City and County aforesaid, the dwelling house of one

Henry Bley

there situate, feloniously and burglariously did break into and enter, with intent to commit some crime therein, to wit: with intent the goods, chattels and personal property of the said *Henry Bley* in the said dwelling house then and there being, then and there feloniously and burglariously to steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

Edward Ward

of the Crime of ~~Grand~~ LARCENY ~~in the second degree~~, committed as follows:

The said

Edward Ward

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the Ward, City and County aforesaid, in the day - time of said day, with force and arms,

*one music-box of the value
of thirty-two dollars*

of the goods, chattels and personal property of one

Henry Bley

in the dwelling house of the said

Henry Bley

there situate, then and there being found, from the dwelling house aforesaid, then and there feloniously did steal, take and carry away, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

THIRD COUNT:

And the Grand Jury aforesaid, by this indictment, further accuse the said
Edward Ward
 of the CRIME OF RECEIVING STOLEN GOODS, committed as follows:

The said

Edward Ward

late of the Ward, City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, with force and arms, at the Ward, City and County aforesaid,

*one music box of the value of
 thirty-two dollars*

of the goods, chattels and personal property of

Henry Bley

by a certain person or persons to the Grand Jury aforesaid unknown, then lately before feloniously stolen from the said

Henry Bley

unlawfully and unjustly did feloniously receive and have; (the said

Edward Ward

then and there well knowing the said goods, chattels and personal property to have been feloniously stolen, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0035

BOX:

504

FOLDER:

4590

DESCRIPTION:

Way, Henry D

DATE:

11/16/92



4590

Witnesses:

Peter Sternheim

According to the defendant's story he was approached by a stranger who asked him how long he had been in the country & he replied fifteen years which was the truth. The stranger said "you have been here long enough to vote here, come over & register defendant without any intention did so, supposing he entitled to do so as he came to this country before he was eighteen years of age."

I believe defendant did not intend to commit any offense.

He is a steady working, industrious man and has an excellent family reputation. He is the sole support of a wife and two children for whom he has always provided.

The defendant is anxious that no further proceedings should be taken. Officer Adams who arrested him, tells me he at one time rendered valuable aid to the police in the conviction of a man who the defendant has already been confined in prison several days. The circumstances of the case are that the defendant has been charged upon his oath before me.

Nov 17/92 Justices
D. J. Adams
J. Adams M.D.

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

Henry D. Way

FALSE REGISTRATION.
(Section 41a, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Pollard

Foreman.

Nov 17/92

Witnesses

0036

0037

City and County of New York, ss.:

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK.

To any Peace Officer in the County of New York:

Information upon oath having been this day laid before me that heretofore, to wit: on the 11 day of October in the year of our Lord ~~one thousand eight hundred and eighty six~~ 1892, the same being a day duly appointed by law as a day for the general registration of the qualified voters of the said City and County, one Henry D. Way at the City and County aforesaid, did personally appear before the Inspectors of Election of the 25 Election District of the 15 Assembly District of the said City and County, at a meeting of the said Inspectors of Election, then being duly held for the purpose of the general registration of the qualified voters of the said City and County, resident in the said Election District, at the duly designated polling place of the said Election District, and did then and there, at the said general registration of voters, feloniously register in the said Election District, without having a lawful right to register therein;

You are therefore commanded forthwith to arrest the above-named Henry D. Way and bring him before me at the 2 District Police Court, in this City, or, in case of my absence or inability to act, before the nearest or most accessible Magistrate in this County.

Dated at the City and County aforesaid this 10th day of November, 1892

John R. Ryan
Police Justice.

0038

Henry J. Wray
340. W-36 2-81-
ground floor

0039

City and County of New York, ss.:

Police Court, 2 District.

Peter Sternheim
 of 515 8th Avenue Street, aged 21 years, being duly
 sworn, deposes and says, that on the 11 day of October 1892
 at the City of New York, in the County of New York, the same being a day duly
 appointed by law as a day for the general registration of the qualified voters of said
 city and county, Henry D. Way did
 personally appear before the Inspectors of Election of the 25
 Election District of the 15 Assembly District of the said City
 and County, at a meeting of the said Inspectors of Election then being held for the
 purpose of the general registration of the qualified voters of the said city and county,
 resident in the said Election District, at the duly designated polling place of the said
 Election District, and did then and there, at the said general registration of voters,
 feloniously register in the said Election District, not having a lawful right to register
 therein.

Wherefore deponent prays that the said Henry D. Way
 may be apprehended and dealt with according to law.

Peter Sternheim

Sworn to before me, this 5

day of Nov 1892

John Ryan
 Police Justice.

0040

Sec. 198—200.

CITY AND COUNTY }
OF NEW YORK, } ss.2 District Police Court.

Henry D Way being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is his right to
make a statement in relation to the charge against him; that the statement is designed to
enable him if he see fit to answer the charge and explain the facts alleged against him
that he is at liberty to waive making a statement, and that his waiver cannot be used
against him on the trial.

Question. What is your name?

Answer. Henry D Way

Question. How old are you?

Answer. 30 years.

Question. Where were you born?

Answer. England

Question. Where do you live, and how long have you resided there?

Answer. 340 W. 36th St. 15 or 16 months.

Question. What is your business or profession?

Answer. DriverQuestion. Give any explanation you may think proper of the circumstances appearing in the
testimony against you, and state any facts which you think will tend to your
exculpation?

Answer. I came to this Country before I was of age and
I thought I had a right to register

Henry D Way

Taken before me this

day of

September 1891

Police Justice

0041

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named.....

Defendant

There guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *Nov 8* 189*2* *John M. Ryan* Police Justice.

I have admitted the above-named.....
to bail to answer by the undertaking hereto annexed.

Dated, 189 Police Justice.

There being no sufficient cause to believe the within named.....
..... guilty of the offense within mentioned, I order h to be discharged.

Dated, 189 Police Justice.

0042

101 B.O. 1414
Police Court--- District.

THE PEOPLE, &c..
ON THE COMPLAINT OF

Peter Sternham
575 1/2 Ave
Henry D. Way
2
3
4
Offense...
Registration

BAILED,

No. 1, by.....

Residence Street.

No. 2, by.....

Residence Street.

No. 3, by.....

Residence Street.

No. 4, by.....

Residence Street.

Dated, Oct 11 189

Magistrate.

Officer.

Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 500 to answer.

500 & 700-200

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Henry D. Way

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *Henry D. Way*
of a FELONY, committed as follows:

Heretofore, to wit: on the *seventh* day of October, in the year
of our Lord one thousand eight hundred and ninety-~~two~~, the same being a day duly ap-
pointed by law as a day for the general registration of the qualified voters of the said City and
County, the said *Henry D. Way*, late of the City and County afore-
said, at the City and County aforesaid, did personally appear before the Inspectors of Elec-
tion of the *25th* Election District of the *15th*
Assembly District of the said City and County, at a meeting of the said Inspectors of Election
then being duly held at the duly designated polling place of the said Election District, for the
purpose of the general registration of the male residents of the said Election District who would
be at the election next following the said day of registration (to wit: on the *eight*
day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in the
said month of November, and being the day duly appointed by law for the holding of a general
election throughout the said State and in the City and County aforesaid), entitled to vote therein,
and did then and there, at the said general registration of voters, feloniously cause his name to
be placed upon the list and register of voters of and in the said Election District, then being
made by the said Inspectors of Election for the said election, he the said *Henry D. Way*
then and there well knowing that he would not be a qualified voter in the said Election District
at the said election in this, to wit: that the said *Henry D. Way* was not then
a citizen of the United States and of said State, and
nor would he on the said day of election have been, an inhabitant of the said State one year
next preceding such election, and the last four months a resident of the said County of New
York, and for the last thirty days a resident of the said Election District, as he the said
Henry D. Way, then and there well knew; against the form of the statute in such
case made and provided, and against the peace and dignity of the said People.

DE LANCEY NICOLL,

District Attorney.

0044

BOX:

504

FOLDER:

4590

DESCRIPTION:

Weinman, Isaac

DATE:

11/17/92



4590

0045

Witnesses:

Harry Huber

Clark P. Williams

Counsel,

Filed,

day of

189

Pleds,

THE PEOPLE

vs.

B

Isaac Weinman

[Section 528, and 529, Penal Code.]

DEFT LANCEY, -
(False Pretenses)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Fulton

Foreman.

Dec 7/97

Hands Guilty

sentenced on another
indictment

0046

Sec. 192.

14 District Police Court.

Undertaking to appear during the Examination.

CITY AND COUNTY }
OF NEW YORK, } ss.

An information having been laid before Charles Melde a Police Justice
of the City of New York, charging Isaac Weisman Defendant with
the offence of Larceny

and he having been brought before said Justice for an examination of said charge, and it having been made
to appear to the satisfaction of said Justice that said examination should be adjourned to some other day, and
the hearing thereof having been adjourned,

We, Isaac Weisman Defendant of No. 1673
Knights Avenue Street; by occupation a Agent
and Julius Levine of No. 23 East 9th
Street, by occupation a Treasurer Surety, hereby jointly and severally undertake
that the above named Isaac Weisman Defendant
shall personally appear before the said Justice, at the 4 District Police Court in the City of New York,
during the said examination, or that we will pay to the People of the State of New York the sum of Three
Hundred Dollars.

Taken and acknowledged before me, this

day of

18

POLICE JUSTICE.

0047

CITY AND COUNTY } ss.
OF NEW YORK, }

Sworn to before me this
1st day of May 1891
Justice

the within named Bail and Surety being duly sworn, says, that he is a resident and holder within the said County and State, and is worth Six Hundred Dollars, exclusive of property exempt from execution, and over and above the amount of all his debts and liabilities, and that his property consists of House and lot of land

situate at No 43 East 72nd Street
of the value of Twenty Five Thousand
Dollars free and clear

Julius Leornie

District Police Court.

THE PEOPLE, &c.,

ON THE COMPLAINT OF

vs.

Undertaking to appear
during the Examination.

Taken the day of 18

Justice.

0048

CITY AND COUNTY }
OF NEW YORK, } ss.

1872

Clark P. Williams
aged 39 years, occupation Superintendent of No. 2 West 14th Street, being duly sworn, deposes and says, that he has heard read the foregoing affidavit of Hattie H. H. H. and that the facts stated therein on information of deponent are true of deponent's own knowledge.

Sworn to before me, this 22nd } Clark P. Williams
day of October 1892 }

Charles N. Laintor
Police Justice.

0049

Police Court 4th District.

Affidavit—Larceny.

City and County } ss:
of New York,Harry H. H. H.

of No. 206 West 83rd Street, aged 28 years,
 occupation housewife being duly sworn,
 deposes and says, that on the third day of October 1892 at the City of New York,
 in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in
 the day time, the following property, viz:

good and lawful money of the United States of
America consisting of silver coins and bills of silver
denominations and in value in all of one dollar

the property of the deponent

and that this deponent
 has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen and
 carried away by Isaac Wienerman (now here)

And deponent further says that the facts upon which this
 affidavit is based are as follows: That deponent holds three
 policies of insurance issued by the Metropolitan Life
 Insurance Company upon which there is payable each
 month a premium to said Insurance Company. That upon
 the said third day of October 1892 the said Isaac Wienerman
 came to deponent's said residence and there and there stated and
 represented to deponent that he the said Wienerman was the agent of the
 said Metropolitan Life Insurance Company for the collection
 of the premiums there and there due and to become due
 upon the policies issued by the said Metropolitan Life Insurance
 Company. That thereupon believing and relying upon the
 truth of the representations of said Wienerman as aforesaid
 deponent was then and there induced to and did give to

Sworn to before me, this

189

day

Police Justice.

said Weinman the said sum of one dollar
in payment of such said premium then and there due and
straightforwardly due to the said Metropolitan Life Insurance
Company, which said sum of money the said Weinman then
and there received as the agent of the said Company and gave
to defendant a receipt therefor in the premium receipt book
issued to defendant by the said Company.

And defendant further says that she is informed by Clark P.
Williams the Superintendent ^{of said Company} that on the said third day of
October A.D. 1892 said Weinman was not an agent of said
Company as in the employ of said Company in any capacity
and that he was not authorized to represent, collect or receive
money for or on account of said Company and that he the said
Weinman has not accounted for or paid said sum of one
dollar as received by him as aforesaid to said Company
but on the contrary the defendant swears that he said Weinman
has appropriated the same to his own use with intent to
defraud this defendant the true owner thereof
and to keep the same for his own use } Mrs. Hattie Hubbell
day of October A.D. 1892

Charles A. Linton

Notary Public

0051

1902

POLICE COURT 4 DISTRICT.

City and County of New York, ss.

THE PEOPLE

vs.

On Complaint of Mattie Cusbell
For Larceny

Isaac Memmen

After being informed of my rights under the law, I hereby ^{demand} ~~waive~~ a trial by Jury on this complaint, and demand a trial at the COURT OF ~~SPECIAL~~ ^{General} SESSIONS OF THE PEACE, to be holden in and for the City and County of New York.

Dated October 2 189 2

M. A. Burke

Police Justice.

Isaac Memmen

J. H. Kullback

0052

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss.

District Police Court.

Isaac Weiman

being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Isaac Weiman

Question. How old are you?

Answer.

47 years

Question. Where were you born?

Answer.

Germany

Question. Where do you live and how long have you resided there?

Answer.

101673 Lexington Avenue

Question. What is your business or profession?

Answer.

Agent

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

*I am not guilty**Isaac Weiman*

Taken before me this

day of

189

Police Justice.

0053

Sec. 151.

Police Court 4th District.

CITY AND COUNTY } ss. *In the name of the People of the State of New York; To the Sheriff of the County*
 OF NEW YORK. } *of New York, or any Marshal or Policeman of the City of New York:*

Whereas, Complaint in writing, and upon oath, has been made before the undersigned, one of the Police Justices for the City of New York, by Reathu Penwell of No. 206 West 83rd Street, that on the 3 day of October 1892 at the City of New York, in the County of New York, the following article to wit:

Good and lawful money of the United States
 of the value of one Dollars,
 the property of complainant
 was taken, stolen and carried away, and as the said complainant has cause to suspect, and does suspect and believe, by Isaac Breneman

Wherefore, the said Complainant has prayed that the said Defendant may be apprehended and bound to answer the said complaint.

These are Therefore, in the name of the PEOPLE of the State of New York, to command you the said Sheriff, Marshals and Policemen, and every of you, to apprehend the body of the said Defendant and forthwith bring him before me, at the 4th DISTRICT POLICE COURT, in the said City, or in case of my absence or inability to act, before the nearest or most accessible Police Justice in this City, to answer the said charge, and to be dealt with according to law.

Dated at the City of New York, this 22 day of October 1892
Charles K. Linton POLICE JUSTICE.

0054

ap 42 Perman No 1673-XX Ar

The within named

having been brought before me under this Warrant, is committed for examination to the
WARDEN and KEEPER of the City Prison of the City of New York.

Dated _____ 188

Police Justice.

Warrant-Larceny.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

vs.

Dated _____ 188

Magistrate

Officer.

The Defendant Isaac Weinman
taken, and brought before the Magistrate, to answer
the within charge, pursuant to the command con-
tained in this Warrant.

Officer.

Dated October 25 18892

This Warrant may be executed on Sunday or at
night.

Police Justice.

0055

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

guilty thereof, I order that he be held to answer the same and he be admitted to bail in the sum of One Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated Nov 3 1887 W. H. Williams Police Justice.

I have admitted the above-named Defendant to bail to answer by the undertaking hereto annexed.

Dated Nov 4 1887 Charles N. Lainton Police Justice.

There being no sufficient cause to believe the within named _____ guilty of the offence within mentioned, I order he to be discharged.

Dated _____ 188 _____ Police Justice.

0056

The Justice presiding in
my absence will please
hear and determine the
within case.

W. A. Melde
Police Justice

BAILED.

No. 1, by Julius Levine
Residence 23 East 7th Street.

No. 2, by
Residence ? Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Police Court No. 87 B.O. 4 District. 138

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Beatrice Hubbard
206 West 83
Isaac Krummholz

2
3
4

Offence

Magistrate. 189

Armstrong
Precinct.

Witnesses Clark P. Williams
No. 2 West 14th Street.

No. Street.

No. Street.

\$200 to answer

300 East 28th Street

Apr 9, 1911 - 28th

Apr 2 at 2 PM

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

Isaac Wieman

The Grand Jury of the City and County of New York, by this indictment, accuse

Isaac Wieman

of the CRIME OF *Petit* LARCENY,
committed as follows:

The said *Isaac Wieman*,

late of the City of New York, in the County of New York aforesaid, on the *third* —
day of *October*, — in the year of our Lord one thousand eight hundred and
ninety — *two* —, at the City and County aforesaid, with force and arms, with intent to
deprive and defraud *one Mattie Muddell who then held*
three certain policies of life insurance therefore
issued by a corporation called the Metropolitan
Life Insurance Company, and then in full force and
effect, upon which there was then and there payable
to the said corporation, weekly, certain sums of money as premiums,
of the proper moneys, goods, chattels and personal property hereinafter mentioned, and of the
use and benefit thereof, and to appropriate the same to *his* own use, did then and there
feloniously, fraudulently and falsely pretend and represent to the said Mattie
Muddell,

That *the* the said *Isaac Wieman* was then
and there the duly authorized agent and collector
of the said corporation, for the collection of
the premiums then due and to become due
to the said corporation, upon the said policies
so issued by it.

By color and by aid of which said false and fraudulent pretenses and representations, the said

Isaac Weinman
 did then and there ^{intentionally} feloniously and fraudulently obtain from the possession of the said Hattie
Mullhall, the sum of one dollar in money,
 lawful money of the United States of
 America, and of the value of one dollar,

of the proper moneys, goods, chattels and personal property of the said Hattie Mullhall,

with intent to deprive and defraud the said Hattie Mullhall,

of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said Isaac Weinman
 was not then and there the duly authorized
 agent and collector of the said corporation
 for the collection of the premiums then
 due or to become due to the said corporation
 upon the said policies as insured by it.

And Whereas, in truth and in fact, the pretenses and representations so made as afore-
 said by the said Isaac Weinman
 to the said Mattie Mubbell was and were
 then and there in all respects utterly false and untrue, as he the said Isaac
Weinman,
 at the time of making the same then and there well knew:

And so the Grand Jury Aforesaid, do say that the said Isaac
Weinman,
 in the manner and form aforesaid and by the means aforesaid, the said proper moneys, goods,
 chattels and personal property of the said Mattie Mubbell,
 then and there ~~feloniously~~ ^{unlawfully} did STEAL, against the form of the statute in such case made and pro-
 vided, and against the peace and dignity of the said people.

DE LANCEY NICOLL,
 District Attorney.

0060

BOX:

504

FOLDER:

4590

DESCRIPTION:

Weise, Philip

DATE:

11/28/92



4590

Witnesses:

Officer Morris

22.3.74

Counsel,

Filed, 28 day of Nov 1893

Pleads, Guilty, Deaf

THE PEOPLE

vs.

R
Philip Wense

VIOLATION OF THE EXCISE LAW.
Selling, etc., on Sunday.
[Chap. 401, Laws of 1892, § 83.]

DE LANCEY NICOLL

and tried to the District Court
Sessions for trial and disposition.

Part 2... Mich. 22... 1893.

A TRUE BILL.

John E. Sullivan

Foreman.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Philip Weise

The Grand Jury of the City and County of New York, by this indictment, accuse
Philip Weise
of the CRIME OF SELLING STRONG AND SPIRITUOUS LIQUORS, WINES, ALE AND
BEER ON SUNDAY, committed as follows:

The said

Philip Weise

late of the City of New York, in the County of New York aforesaid, on the *30th*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, the same being Sunday, certain strong
and spirituous liquors, wines, ale and beer, to wit: One gill of wine, one gill of brandy, one gill
of rum, one gill of gin, one gill of whiskey, one gill of cordial, one gill of bitters, one gill of ale,
one gill of porter, one gill of beer, one gill of lager beer, and one gill of a certain strong and spiritu-
ous liquor to the Grand Jury aforesaid unknown, unlawfully did sell, ~~to one~~

~~and~~ to certain ~~other~~ persons whose names are to the Grand Jury aforesaid unknown, against
the form of the statute in such case made and provided, and against the peace of the People of
New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment, further accuse the said

Philip Weise
of the CRIME OF OFFERING AND EXPOSING FOR SALE ON SUNDAY STRONG AND SPIRITUOUS LIQUORS,
WINES, ALE AND BEER, committed as follows:

The said

Philip Weise

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, the
same being Sunday, certain strong and spirituous liquors, wines, ale and beer, to wit: One gill of
wine, one gill of brandy, one gill of rum, one gill of gin, one gill of whiskey, one gill of cordial, one
gill of bitters, one gill of ale, one gill of porter, one gill of beer, one gill of lager beer, and one gill of
a certain strong and spirituous liquor to the Grand Jury aforesaid unknown, unlawfully did offer and
expose for sale to one *Frank J. Morris*

and to certain other persons whose names are to the Grand Jury aforesaid unknown, against the
form of the statute in such case made and provided, and against the peace of the People of the State
of New York and their dignity.

DE LANCEY NICOLL

District Attorney.

0063

BOX:

504

FOLDER:

4590

DESCRIPTION:

Weiss, Morris

DATE:

11/18/92



4590

Witnesses:

John Anderson

In this case the facts appear to be that deft & compl. became involved in a quarrel and then made charges each against the other, resulting in the indictment of both. They are now reconciled and I am satisfied that justice will be best served by the annulment of both indictments and I so recommend.

Oct 30. 93

John E. Porellon
ada

Counsel,

Filed

day of

189

Pleads,

THE PEOPLE

vs.

B

Horris Case



Assault in the Second Degree.
(Section 218, Penal Code.)

In case of John Anderson

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Porellon

Foreman.

An accompt. Atty.

indict. dis

Oct 30/93

P.B.M.

0065

Police Court—5 District.City and County }
of New York, } ss.:

of No. 221 E. 127th Street, aged 34 years,
 occupation Painter being duly sworn
 deposes and says, that on the 13 day of November 1888 at the City of New
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by Morris
Weiss (now here) who struck
 deponent several violent blows
 in the head face and body
 with a bottle he then and there
 held in his hand.
 Deponent further says that such
 assault was committed

with the felonious intent to ~~take the life of deponent, or to~~ do him grievous bodily harm; and without
 any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be ~~apprehended and~~ bound to answer
 for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 14 day
 of Nov 1888

Johan Anderson

John D. Smith Police Justice.

0066

Sec. 198-200.

CITY AND COUNTY } ss:
OF NEW YORK,

5 District Police Court.

Morris Weis

signed according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Morris Weis

Question. How old are you?

Answer.

24 years old

Question. Where were you born?

Answer

Austria

Question. Where do you live and how long have you resided there?

Answer.

2455 Second Ave one year

Question. What is your business or profession?

Answer.

Liquor dealer

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

I Am Not Guilty -
Morris Weis

Taken before me this

day of *November* 189*9**John McLaughlin*

Police Justice.

0067

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Defendant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *One* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *Nov 14* 189 *John McLaughlin* Police Justice.

I have admitted the above-named

Defendant

to bail to answer by the undertaking hereto annexed.

Dated, *Nov 14* 189 *John McLaughlin* Police Justice.

There being no sufficient cause to believe the within named guilty of the offense within mentioned, I order h to be discharged.

Dated, 189 Police Justice.

0068

1424
1894

Police Court--- 5 District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

John Anderson
221 E. 137
Morris Weiss

Claswell Gelman
Officer

2
3
4

Dated, *November 14* 189
Morris Magistrate.
Colligan Officer.
29 Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ *1.000* to answer *G.S.*

Bailed *ans*

BAILED,

No. 1, by *Conrad Webber*

Residence *2452 2nd* Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,
against

Morris Lewis

The Grand Jury of the City and County of New York, by this indictment, accuse

Morris Lewis

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Morris Lewis

late of the City and County of New York, on the *11th* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, in and upon one

in the peace of the said People then and there *John Anderson* (being, feloniously did wilfully and wrongfully did make an assault; and the said *Morris Lewis*

with a certain *hollder* which *he* the said

in *his* right hand *then and there* had and held, the same being then and there a weapon and an instrument likely to produce grievous bodily harm, *then*, the said *John Anderson* then and there feloniously did wilfully and wrongfully strike, beat, *cut*, bruise and wound, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

AND THE GRAND JURY AFORESAID, by this indictment, further accuse the said

Norris Lucas

of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

Norris Lucas

late of the City and County aforesaid, afterwards, to wit: On the day and in the year aforesaid, at the City and County aforesaid, in and upon the said

John Anderson

in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault; and the said *Norris Lucas* the said *John Anderson* with a certain *rod*

which *he* the said

Norris Lucas

in *his* right hand then and there had and held, in and upon the *face and body* of *him* the said *John Anderson* then and there feloniously did wilfully and wrongfully strike, beat, *and* bruise and wound, and did then and there and by the means aforesaid, feloniously, wilfully and wrongfully inflict grievous bodily harm upon the said *John Anderson* to the great damage of the said *John Anderson* against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL, *District Attorney.*

0071

BOX:

504

FOLDER:

4590

DESCRIPTION:

Weisstaner, John

DATE:

11/17/92



4590

Witnesses:

Louis Kutzen
Off Hamilton 27th
The Defendant
herein is now
in the juvenile
asylum - Sick -
fact that from the
in his care -
(Hamilton 27th Precinct)
state that it was
but a toy pistol the
defendant used, and
the injury to complainant
was very slight, & also
that the complainant
struck the boy in the
face with her hand
Murray - I am sworn
that defendant be dis-
- charged from juvenile
asylum - His uncle will
take him
E. B. Deeds

Counsel,

Filed 17 day of Nov 1892
Pleads, Wm. J. Connelley

13 THE PEOPLE

336 & 8: 1st
Grand Jury

John L. Connelley

Assault in the First Degree, Etc.
(Sections 217 and 218, Penal Code.)

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

John E. Folsom
Jury 2 - Nov. 22, 1892 Foreman,
Wm. J. Connelley

James H. Connelley

0073

Court of
General SessionsThe People
vs
John WeinstanmerREPORT OF THE NEW YORK SOCIETY FOR
THE PREVENTION OF CRUELTY
TO CHILDREN.

100 EAST 23D STREET,

New York, Nov. 14th 1892

CASE NO. 68833

DATE OF ARREST

CHARGE

OFFICER

November 12/92
Felony Assault

AGE OF CHILD

RELIGION

FATHER

Thirteen years
Protestant
John (dead)

MOTHER

RESIDENCE

Single
336 E 83rd Street

AN INVESTIGATION BY THE SOCIETY SHOWS THAT

July 16/91 Boy was arrested for
stealing penguins. Discharged by
Justice Voorhis with a reprimand.

Boy does not work
or attend school. He lives with widowed
mother who is janitor of above
house. Has a comfortable home, and
mother is well spoken of. Boy is
known as a "terror" in the neighbor-
hood.

All which is respectfully submitted,

Florence Leuking
Supt

To Dist. Atty.

*Comptroller
General*

Wm. C. C. C.

Adm. Department

PENAL CODE, %

Following are the names of the children who have been committed to the custody of the State of New York.

Report of the New York Society
for the Prevention of Cruelty
to Children.

ELBRIDGE T. CERRY,

President, &c.,

100 East 23d Street,

NEW YORK CITY.

0075

Police Court— 5 District,City and County } ss.:
of New York,

Louis Rutzen
 of No. 32 Norfolk Street, aged 19 years,
 occupation Painter being duly sworn
 deposes and says, that on the 10th day of November 1892 at the City of New
 York, in the County of New York,

he was violently and feloniously ASSAULTED and BEATEN by John
Weisstanner (nowhere) who wilfully
 and maliciously pointed, and aimed
 a pistol loaded with powder and ball
 which he held in his hand at deponent,
 and discharged said pistol at
 deponent striking deponent in the face.
 Deponent further says that such assault
 was committed

with the felonious intent to take the life of deponent, or to do him grievous bodily harm; and without
 any justification on the part of the said assailant :

Wherefore this deponent prays that the said assailant may be ~~apprehended and~~ bound to answer
 for the above assault, etc., and be dealt with according to law.

Sworn to before me, this 13 day } *Louis Rutzen*
 of Nor 1892 } mark

John K. [illegible] Police Justice.

0076

Sec. 198-200.

District Police Court.

CITY AND COUNTY }
OF NEW YORK, } ss.

John Weirstanner being duly examined before the under-
signed according to law, on the annexed charge, and being informed that it is h's right to
make a statement in relation to the charge against h, that the statement is designed to
enable h if he sees fit, to answer the charge and explain the facts alleged against h,
that he is at liberty to waive making a statement, and that h's waiver cannot be used
against h on the trial.

Question. What is your name?

Answer. *John Weirstanner*

Question. How old are you?

Answer. *13 years old*

Question. Where were you born?

Answer. *New Jersey*

Question. Where do you live and how long have you resided there?

Answer. *336 E 83rd St. 1 year*

Question. What is your business or profession?

Answer. *Work in a Photographs gallery*Question. Give any explanation you may think proper of the circumstances appearing in the testimony
against you, and state any facts which you think will tend to your exculpation.

Answer.

*I am not guilty**John Weirstanner*

Taken before me this

13

day of

*Nov*189*3**John W. McArthur*
Police Justice.

0077

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named

Defendant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of *Twenty* Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, *November 13* 189*7* *John H. Warden* Police Justice.

I have admitted the above-named to bail to answer by the undertaking hereto annexed.

Dated, 189 Police Justice.

There being no sufficient cause to believe the within named guilty of the offense within mentioned, I order h to be discharged.

Dated, 189 Police Justice.

0078

P 180

Police Court---

5

District.

1409

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Louis Outzen
John H. Eisenmeyer

Offense
Felonious-
Assault

2
3
4

Dated, November 13 1892

Virhis
Hamilton

Magistrate.
Officer.

27- Precinct.

Witnesses Thomas F. Moore

No. 108 E 23rd Street.

No. Street.

No. 1000 G.S. Street.

\$ to answer

(Comm
Arrested
Pastor

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

John Weissstainer

The Grand Jury of the City and County of New York, by this indictment accuse

John Weissstainer
of the CRIME OF ASSAULT IN THE FIRST DEGREE, committed as follows:

The said

John Weissstainer

late of the City of New York, in the County of New York aforesaid, on the *fourth* day of *November* in the year of our Lord one thousand eight hundred and ninety-*four*, with force and arms, at the City and County aforesaid, in and upon the body of one *Louis Kuehner* in the peace of the said People then and there being, feloniously did make an assault and to, at and against *him* the said *Louis Kuehner* a certain pistol then and there loaded and charged with gunpowder and one leaden bullet, which the said *John Weissstainer* in *his* right hand then and there had and held, the same being a deadly and dangerous weapon, wilfully and feloniously did then and there shoot off and discharge with intent *kill* the said *Louis Kuehner* thereby then and there feloniously and wilfully to kill, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment further accuse the said

John Weissstainer
of the CRIME OF ASSAULT IN THE SECOND DEGREE, committed as follows:

The said

John Weissstainer

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with force and arms, in and upon the body of the said *Louis Kuehner* in the peace of the said People then and there being, feloniously did wilfully and wrongfully make another assault, and to, at and against *him* the said

Louis Kuehner
a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which the said

John Weissstainer
in *his* right hand then and there had and held, the same being a weapon and an instrument likely to produce grievous bodily harm, then and there feloniously did wilfully and wrongfully shoot off and discharge, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0080

BOX:

504

FOLDER:

4590

DESCRIPTION:

Weitzel, Ernst

DATE:

11/14/92



4590

Witnesses:

Chas E. Thomas

Counsel,

Filed

189

Plends,

THE PEOPLE

vs.

Ans Westgel

Grand Larceny,
[Sections 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

John E. Thomas
Foreman.
1st Jury
2nd Jury
3rd Jury

0082

Police Court—3 District.

(1305)

Affidavit—Larceny.

City and County }
of New York, } ss.of No. 502 East 11th Street, aged 42 years,
occupation Scouring and dyeing being duly sworn,deposes and says, that on the 18th day of October 1893 at the City of New
York, in the County of New York, was feloniously taken, stolen and carried away from the possession
of deponent, in the day time, the following property, viz:Four pairs pantaloons of the
value of about Forty dollarsthe property of in care and charge of deponentand that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen
and carried away by Ernst Weitzel (now here)for the reasons that the defendant
was in deponent's employ and
property was in deponent's charge
to perform labor thereon and deponent
said property and suspected the
defendant and he acknowledged to
deponent that he took, stole and
carried away said propertyChas. E. KlemensSworn to before me, this
of November 1893 (day)

Police Justice

0083

Sec. 198-200.

District Police Court.

CITY AND COUNTY OF NEW YORK, ss:

Ernest Weitzel being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Question. How old are you?

Answer.

Question. Where were you born?

Answer.

Question. Where do you live and how long have you resided there?

Answer.

Question. What is your business or profession?

Answer.

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

I am guilty
Ernest Weitzel

Taken before me this
 day of *May* 189*9*

Police Justice.

0084

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Five Hundred Dollars, ~~and be committed to the~~ Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Nov 2 1892 [Signature] Police Justice.

I have have admitted the above-named.....
to bail to answer by the undertaking hereto annexed.

Dated,.....189.....Police Justice.

There being no sufficient cause to believe the within named.....
.....guilty of the offense within mentioned, I order he to be discharged.

Dated,.....189.....Police Justice.

0085

Police Court,

3

District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Chas E Kerrick
302 E 11
Ernest Weitzel

Offense

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

Dated,

Nov 2

1892

E Hogan

Magistrate.

Meyer

Meehan

Officer.

14

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$

1000.

to answer

Committee

0086

District Attorney's Office,
CITY AND COUNTY OF NEW YORK.

14

March 1893

CAPTAIN OR OFFICER IN COMMAND.

Dear Sir:

I desire to see Officer Meyer or
McLean attached to your command in
Brooklyn in relation to the case of
Ernest Weitzel
sentenced two years to one
years and months imprisonment by
Judge Fitzgerald

Please ask the officer to bring such inform-
ation in relation to the case, and as to the
previous record of the prisoner, as he may be
enabled to obtain.

Yours truly,

HENRY W. UNGER,
Deputy Assistant and Secretary to the District Attorney.

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

Ernst Weitzel

The Grand Jury of the City and County of New York, by this indictment, accuse

Ernst Weitzel
of the CRIME OF GRAND LARCENY IN THE *second* DEGREE, committed
as follows:

The said

Ernst Weitzel

late of the City of New York, in the County of New York aforesaid, on the *18th*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

*four pairs of trousers of the
value of ten dollars each
pair*

of the goods, chattels and personal property of one

Charles A. Klemens

then and there being found, then and there feloniously did steal, take and carry away, against
the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

De Lancey Ricoll,
District Attorney

0088

BOX:

504

FOLDER:

4590

DESCRIPTION:

Welsh, Bernard T

DATE:

11/29/92



4590

Witnesses:

Humphreys Green

1

2

Sir John a-off 1841
count for 20th May

Gen. Green

James Green

James Green

141 1841

James M. Green

1329.34

307. *L. J. Mont*
Counsel,
Filed day of 1892
Pleads, *W. J. Green*

THE PEOPLE

2d
39th 32d
us.
Green

Bernard J. Welsh

Forgery in the Second Degree.
[Sections 611 and 621, Penal Code.]
and Grand Larceny, Second Degree.
[Section 528 and 531]

DE LANCEY NICOLL,
District Attorney.

A TRUE BILL.

John E. Foreman
Jury 2 - Dec. 5, 1892 Foreman.
Green G. L. 2nd Reg

For 6 mos
Dec. 2/92

0090

Police Court—

District.

1912

Affidavit—Larceny.

City and County } ss.
of New York,

of No.

311 West Cunningham Greenlaw

occupation

Handy man

Street, aged 25 years.

deposes and says, that on the

13th

day of

October

1892 at the City of New

York, in the County of New York, was feloniously taken, stolen and carried away from the possession of deponent, in day time, the following property, viz:

Goods of the value of Twenty seven
dollars

the property of

St Oil & Co lost in
shipment to Chicagoand that this deponent
has a probable cause to suspect, and does suspect, that the said property was feloniously taken, stolen
and carried away by Bernard J. Walsh, now he

from the fact that deponent
was instructed by his firm to
deliver said property to said
Walsh at 50 West 19th and
upon the delivery of said goods
received a check purporting to be
drawn upon the Bank of the Metropolis
by Charles H. Connell dated October
13th 1892. Deponent now says that
he is now informant William G.
Thomas, Manager for St Oil & Co
that he visited said Bank and
learned that no such person
as Charles H. Connell had an account
in said Bank Cunningham Greenlaw

Sworn to before me, this

Police Justice.

0091

CITY AND COUNTY }
OF NEW YORK, } ss.

1877

William G. Thomas
aged *40* years, occupation *Manager* of No. *321*
539 *6th* Street, being duly sworn, deposes and
says, that he has heard read the foregoing affidavit of *Cummins* *Samuel*
and that the facts stated therein on information of deponent are true of deponent's own
knowledge.

Sworn to before me, this *18* day of *November* 18*92* } *William G. Thomas*

A. J. Smith
Police Justice.

0092

Sec. 198-200.

District Police Court.

1882

City and County of New York, ss:

Bernard E. Welsh being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is his right to make a statement in relation to a charge against him; that the statement is designed to enable him, if he see fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer.

Bernard E. Welsh

Question. How old are you?

Answer.

32 years

Question. Where were you born?

Answer.

US

Question. Where do you live, and how long have you resided there?

Answer.

319 West 13th St

Question. What is your business or profession?

Answer.

Barkeeper

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer.

*I am not guilty**Bernard E. Welsh*

Taken before me this

day of

Sept 11 1882
[Signature]
 Police Justice.

0093

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Alfredant

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Five Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, March 7th 1892 [Signature] Police Justice.

I have admitted the above-named _____
to bail to answer by the undertaking hereto annexed.

Dated, _____ 189 _____ Police Justice.

There being no sufficient cause to believe the within named _____
guilty of the offense within mentioned, I order h to be discharged.

Dated, _____ 189 _____ Police Justice.

0094

Geo. I.

307 B.O. (167) 1456
Police Court--- District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Cunningham Greenleaf
311 1/2 St. West to 4 St.
Bernard C. Melst

Grand Juror

BAILED,

No. 1, by

Residence Street.

No. 2, by

Residence Street.

No. 3, by

Residence Street.

No. 4, by

Residence Street.

2
3
4

Dated, 1st December 189

White Magistrate.

Maguire Officer.

16 Precinct.

Witnesses Chas. O. Donnell

No. 141 West Street.

Cashier Bank of the Metropolis

No. 29 Union Square Street.

No. 500 Street.

\$ 500 to answer.

Q Nov 19/92 438

" " 27/11/92

0095

29 UNION SQUARE.

No. 147

New York, Oct 13th 1892

Bank of the Metropolis

Pay to H. C. Meier & Co. order

Twenty nine $\frac{33}{100}$ Dollars

\$ 29 $\frac{33}{100}$

Chas C. Donnell

STEWART WATSON & CO. LITHO 29 HOWARD ST. N.Y.

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK
against

Bernard T. Walsh

The Grand Jury of the City and County of New York, by this indictment, accuse

Bernard T. Walsh

of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *Bernard T. Walsh*,

late of the City of New York, in the County of New York aforesaid, on the *fifteenth* day of *October*, in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with intent to defraud, feloniously did forge a certain instrument and writing, which said forged instrument and writing is as follows, that is to say:

No. 142 New York, Oct 13th 1892
Order of the Metropolitan
Car to Dr. O'Neill & Co in order
Twenty nine $\frac{33}{100}$ Dollars
\$29 $\frac{33}{100}$ Charles O. Donnell

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment, further accuse the said

Bernard S. Walsh

of the CRIME OF FORGERY IN THE SECOND DEGREE, committed as follows:

The said *Bernard S. Walsh*,

late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the City and County aforesaid, with intent to defraud, did feloniously utter, dispose of and put off as true, a certain forged instrument and writing, which said forged instrument and writing is as follows, that is to say:

No. 142 New York, Oct 13th 1892
Bank of the Metropolitan
Pay to M. Donnell & Co on order
Twenty nine ³³/₁₀₀ Dollars
\$29 ³³/₁₀₀ R. M. O. Donnell

the said *Bernard S. Walsh*

then and there well knowing the same to be forged, against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

~~DE LANCEY NICOLL,~~

~~District Attorney~~

~~Court of General Sessions of the Peace~~

~~OF THE CITY AND COUNTY OF NEW YORK.~~

~~THE PEOPLE OF THE STATE OF NEW YORK~~

~~AGAINST~~

Third Count.

And The Grand Jury ^{*of the City and County of New York*} ~~of the City and County of New York~~, by this indictment, accuse

Further accuse the said Bernard T. Walsh

of the CRIME OF *Grand* LARCENY in the second degree, committed as follows:

The said *Bernard T. Walsh,*

late of the City of New York, in the County of New York aforesaid, on the *fourteenth* day of *October*, in the year of our Lord one thousand eight hundred and ninety-*two* - , at the City and County aforesaid, with force and arms, with intent to deprive and defraud *Hugh O'Neill*

of the ~~proper moneys~~ goods, chattels and personal property hereinafter mentioned, and of the use and benefit thereof, and to appropriate the same to *his* own use, did then and there feloniously, fraudulently and falsely pretend and represent to *the said*

Hugh O'Neill,

That a certain paper writing in the words and figures following, to wit:

No. 142

New York, Oct 13th 1892

Bank of the Metropolis

Pay to H. O'Neill & Co on order
Twenty nine ³³/₁₀₀ Dollars
\$29 ³³/₁₀₀ *Charles O. Donnell*

which the said Bernard T. Walsh

then and there produced and delivered to the said Hugh O'Neill, nor then and there a good and valid order for the payment of money out of the value of twenty nine dollars and thirty-three cents.

By color and by aid of which said false and fraudulent pretenses and representations, the said

Bernard T. Welch —

did then and there feloniously and fraudulently obtain from the possession of the said Hugh O'Neill, one necker of the value of eight dollars and ninety-eight cents, one pair of trousers of the value of one dollar and sixty-five cents, one leather box of the value of fifteen dollars and fifty cents, one pair of gloves of the value of one dollar and seventy-five cents, and one other pair of gloves of the value of one dollar and forty-five cents, of the proper moneys, goods, chattels and personal property of the said Hugh O'Neill,

with intent to deprive and defraud the said Hugh O'Neill, —

of the same, and of the use and benefit thereof, and to appropriate the same to his own use.

Whereas, in truth and in fact, the said paper writing which he the said Bernard T. Welch so as aforesaid then and there produced and delivered to the said Hugh O'Neill was not then and there a good and

valid order for the payment of money,
and was not of the value of ten dollars
nine dollars and thirty-three cents,
or of any value, but was then and
there wholly worthless.

And Whereas, in truth and in fact, the pretenses and representations so made as afore-
said by the said Bernard J. Wolke
to the said Joseph O'Neill was and were
then and there in all respects utterly false and untrue, as he the said
Bernard J. Wolke
at the time of making the same then and there well knew;

And so the Grand Jury Aforesaid, do say that the said
Bernard J. Wolke
in the manner and form aforesaid and by the means aforesaid, the said ~~proper money~~ goods,
chattels and personal property of the said Joseph O'Neill;
then and there feloniously did STEAL, against the form of the statute in such case made and pro-
vided, and against the peace and dignity of the said people.

~~DE LANCEY NICOLE,~~
District Attorney.

Frank COUNT:—

AND THE GRAND JURY AFORESAID, by this indictment further accuse
the said *Bernard T. Walsh* —

of the CRIME OF GRAND LARCENY IN THE *second*
DEGREE, committed as follows:

The said *Bernard T. Walsh*,
late of the City of New York, in the County of New York aforesaid, on the *thirteenth*
day of *October*, in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms,

*one piece of the value of eight dollars
and ninety eight cents, one pair of
trousers of the value of one dollar
and sixty five cents, one feather bed
of the value of fifteen dollars and
fifty cents, one pair of gloves of the
value of one dollar and seventy five
cents, and one other pair of gloves
of the value of one dollar and
forty five cents,* —

of the goods, chattels and personal property of one *Wm. O'Neill*. —

then and there being found, then and there feloniously did steal, take and carry away,
against the form of the statute in such case made and provided, and against the peace of the
People of the State of New York, and their dignity.

De Lancey Nicoll,
District Attorney

0 102

BOX:

504

FOLDER:

4590

DESCRIPTION:

Whalen, James

DATE:

11/22/92



4590

Witnesses:

Martin Sargline
Jr. Kitch 7th

226
Counsel, *20 President*
Filed, *227* day of *Mar* 189 *27*
Pleads, *Myself* 23

THE PEOPLE

25 *Madison*
vs.
35 *Lanck driver*

James Whalen

INJURY TO PROPERTY.

[Section 654, Penal Code.]

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL.

John E. Tollen
Park 3. Dec 7/92 Foreman,
Pleads guilty as a *Misdemeanor*
Property of value
Pay \$25.00

Ren 6 months

0104

CITY AND COUNTY } ss.
OF NEW YORK.POLICE COURT, 3rd DISTRICT.

of No. 208 Madison Street, aged 25 years,
 occupation Bar tender being duly sworn, deposes and says
 that on the 16 day of September 1892
 at the City of New York, in the County of New York he caused the

arrest of James Whalen for the
reasons following. Defendant is a bar tender
at the liquor saloon 33 Rutgers Street
Defendant came to said place on
said date and he did maliciously
throw a stone at the plate glass window
of said premises breaking said window
causing damage to the amount of
eight dollars

Martin Longhlin

Sworn to before me, this

of

1892

day

Police Justice.

Sec. 198-200.

CITY AND COUNTY OF NEW YORK, ss:

District Police Court.

James J. Thaler being duly examined before the undersigned according to law, on the annexed charge, and being informed that it is his right to make a statement in relation to the charge against him; that the statement is designed to enable him if he sees fit, to answer the charge and explain the facts alleged against him; that he is at liberty to waive making a statement, and that his waiver cannot be used against him on the trial.

Question. What is your name?

Answer. *James J. Thaler*

Question. How old are you?

Answer. *35 years.*

Question. Where were you born?

Answer. *New York*

Question. Where do you live and how long have you resided there?

Answer. *350 Madison St., 2 mo.*

Question. What is your business or profession?

Answer. *Truck driver*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation.

Answer. *I am not guilty*

James J. Thaler

Taken before me this 14 day of *July* 1944
[Signature]
 Police Justice

District Attorneys Office
City & County of
New York

Part 3.

James Whalen

Dec 7th

All served 4-1/2 off
Dec 1/92 M

0 107

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Defendant

ten ~~guilty~~ thereof, I order that he be held to answer the same and he be admitted to bail in the sum of ten Hundred Dollars, and be committed to the Warden and Keeper of the City Prison, of the City of New York, until he give such bail.

Dated Nov 17 18 18 Police Justice.

I have admitted the above-named to bail to answer by the undertaking hereto annexed.

Dated 18 Police Justice.

~~There being~~ no sufficient cause to believe the within named guilty of the offence within mentioned. I order he to be discharged.

Dated 18 Police Justice.

0108

Police Court

1444
District

THE PEOPLE, &c.,
ON THE COMPLAINT OF

Martin Loughlin
108 Madison
James Thaler

2
3
4

BAILED.

No. 1, by
Residence Street.

No. 2, by
Residence Street.

No. 3, by
Residence Street.

No. 4, by
Residence Street.

Dated Nov 17 1899
Magistrate.

August E. Herrick
Officer.
Precinct.

Witnesses

No. Street.

No. Street.

No. Street.

\$ 1000 to answer

Chas.

7/11/99

Court of General Sessions of the Peace

517

IN AND FOR THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

James Whalen

The Grand Jury of the City and County of New York, by this indictment accuse

James Whalen

of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* PERSONAL PROPERTY OF ANOTHER, committed as follows:

The said

James Whalen

late of (the City of New York, in the County of New York aforesaid, on the *16th* day of *November* in the year of our Lord one thousand eight hundred and ninety-*two*, at the City and County aforesaid, with force and arms,

one pane of plate glass

of the value of

eighty dollars,

of the goods, chattels and personal property of one *Mr. Thomas D. Bryan* then and there being, then and there feloniously did unlawfully and wilfully *break*

and destroy:

against the form of the statute in such case made and provided, and against the peace of the People of the State of New York and their dignity.

0110

SECOND COUNT.

And the Grand Jury aforesaid, by this indictment further accuse the said
James Whalen
of the CRIME OF UNLAWFULLY AND WILFULLY *destroying* REAL PROPERTY OF ANOTHER,
committed as follows:

The said

James Whalen
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at the
City and County aforesaid, with force and arms,

one pane of plate glass

of the value of *eighty dollars*
in, and forming part and parcel of the realty of a certain building of one

Thomas J. Bryan there situate, of the real property of the said

Thomas J. Bryan
then and there feloniously did unlawfully and wilfully

break and

destroy:

against the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

DE LANCEY NICOLL,

District Attorney.

0111

BOX:

504

FOLDER:

4590

DESCRIPTION:

Whalen, William J

DATE:

11/03/92



4590

0112

Witnesses:

off down jam

Counsel,

Filed

Pleads,

THE PEOPLE

vs.

William J. Whalen

DE LANCEY NICOLL,

District Attorney.

FALSE REGISTRATION.
(Section 41a, Penal Code.)

A TRUE BILL.

Robert Edward

Foreman.

Jan 7/92

James 1921

44

0113

City and County of New York, ss.:

Police Court, 2 District.

James A. Dourigan
 of 15th Precinct Police Street, aged _____ years, being duly
 sworn, deposes and says, that on the 19 day of October 1882
 at the City of New York, in the County of New York, the same being a day duly
 appointed by law as a day for the general registration of the qualified voters of said
 city and county, William J. Mahlen did
 personally appear before the Inspectors of Election of the 34
 Election District of the Eight Assembly District of the said City
 and County, at a meeting of the said Inspectors of Election then being held for the
 purpose of the general registration of the qualified voters of the said city and county,
 resident in the said Election District, at the duly designated polling place of the said
 Election District, and did then and there, at the said general registration of voters,
 feloniously register in the said Election District, not having a lawful right to register
 therein.

William J. Mahlen therefore deponent prays that the said William J. Mahlen
Mahlen may be apprehended and dealt with according to law.

Sworn to before me, this 27

day of October 1882

John Ryan
 Police Justice.

0114

Sec. 198-200.

CITY AND COUNTY
OF NEW YORK.

District Police Court.

William J. Whalen being duly examined before the undersigned according to law, on the annexed charge; and being informed that it is *his* right to make a statement in relation to the charge against *him*; that the statement is designed to enable *him* if he see fit to answer the charge and explain the facts alleged against *him* that he is at liberty to waive making a statement, and that *his* waiver cannot be used against *him* on the trial.

Question. What is your name?

Answer. *William J. Whalen*

Question. How old are you?

Answer. *32 years*

Question. Where were you born?

Answer. *New York City*

Question. Where do you live, and how long have you resided there?

Answer. *52 Clarkson St. one year*

Question. What is your business or profession?

Answer. *Longshoreman*

Question. Give any explanation you may think proper of the circumstances appearing in the testimony against you, and state any facts which you think will tend to your exculpation?

Answer. *I have nothing to say*

William J. Whalen

Taken before me this
day of *June* 193*2*
Police Justice.

0115

City and County of New York, ss.:

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK.

To any Peace Officer in the County of New York:

Information upon oath having been this day laid before me that heretofore, to wit: on the
minit ¹⁹ day of *October* in the year of our Lord one thousand ^{nine} ~~eight~~ hundred and
 eighty-six, the same being a day duly appointed by law as a day for the general registration of the
 qualified voters of the said City and County, one *William J. Malen*
 at the City and County aforesaid, did personally appear before the Inspectors of Election of the
 374 Election District of the *Eight* Assembly District
 of the said City and County, at a meeting of the said Inspectors of Election, then being duly
 held for the purpose of the general registration of the qualified voters of the said City and
 County, resident in the said Election District, at the duly designated polling place of the said
 Election District, and did then and there, at the said general registration of voters, feloniously
 register in the said Election District, without having a lawful right to register therein;

J. Malen **You are therefore commanded** forthwith to arrest the above-named *William*
 and bring him before me at the *Second* District
 Police Court, in this City, or, in case of my absence or inability to act, before the nearest or most
 accessible Magistrate in this County.

Dated at the City and County aforesaid this *24* day of *October* 189*2*
November, 1886.

John Ryan

Police Justice.

0116

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named William Clark

Twenty Twenty guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Twenty Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, 10/12/189 Sam Hogan Police Justice.

I have have admitted the above-named _____
to bail to answer by the undertaking hereto annexed.

Dated, _____ 189 _____ Police Justice.

There being no sufficient cause to believe the within named _____
_____ guilty of the offense within mentioned, I order he to be discharged.

Dated, _____ 189 _____ Police Justice.

0117

BAILED,

No. 1, by.....
Residence..... Street.

No. 2, by.....
Residence..... Street.

No. 3, by.....
Residence..... Street.

No. 4, by.....
Residence..... Street.

Police Court, 2 1368 District.

THE PEOPLE, &c.,
ON THE COMPLAINT OF

James J. Danigan
vs.
William C. Haggan
Officer, Precinct.

2
3
4

Dated, Nov 12 189

Magistrate.
Officer.
Precinct.

Witnesses
No. Street.
No. Street.

No. Street.
\$ 2000 to answer
G. S.
Cox

0118

COURT OF GENERAL SESSIONS OF THE PEACE OF THE CITY AND COUNTY
OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William J. Whalen

THE GRAND JURY OF THE CITY AND COUNTY OF NEW YORK, by this
indictment, accuse *William J. Whalen*
of a FELONY, committed as follows:

Heretofore, to wit: on the *nineteenth* day of October, in the year of our Lord one thousand eight hundred and ninety-~~two~~, the same being a day duly appointed by law as a day for the general registration of the qualified voters of the said City and County, the said *William J. Whalen*, late of the City and County aforesaid, at the City and County aforesaid, did personally appear before the Inspectors of Election of the *Eighty-fourth* Election District of the *Eighty-fourth* Assembly District of the said City and County, at a meeting of the said Inspectors of Election then being duly held at the duly designated polling place of the said Election District, for the purpose of the general registration of the male residents of the said Election District who would be at the election next following the said day of registration (to wit: on the *nineteenth* day of November, in the year aforesaid, being the Tuesday succeeding the first Monday in the said month of November, and being the day duly appointed by law for the holding of a general election throughout the said State and in the City and County aforesaid), entitled to vote therein, and did then and there, at the said general registration of voters, feloniously cause his name to be placed upon the list and register of voters of and in the said Election District, then being made by the said Inspectors of Election for the said election, he the said *William J. Whalen* then and there well knowing that he would not be a qualified voter in the said Election District at the said election in this, to wit: that the said *William J. Whalen* was not then nor would he on the said day of election have been, an inhabitant of the said State one year next preceding such election, and the last four months a resident of the said County of New York, and for the last thirty days a resident of the said Election District, as he the said *William J. Whalen*, then and there well knew; against the form of the statute in such case made and provided, and against the peace and dignity of the said People.

DE LANCEY NICOLL,

District Attorney.

0119

BOX:

504

FOLDER:

4590

DESCRIPTION:

Wheeler, David

DATE:

11/17/92



4590

POOR QUALITY
ORIGINAL

Witnesses:

affr Hogan 20th
Eugene Boylan

Plena...
affr...

Counsel,

Filed

day of

189

Pleas,

THE PEOPLE

vs
Hartford Hotel
Plumbers

David Wheeler
alias James R. Blanchard
alias Charles E. Norrell

Murder in the First Degree.
(Section 183 Penal Code.)

DE LANCEY NICOLL,

District Attorney.

TRUE BILL

Part 2 - Feb. 14, 1898
Fried and convicted of manslaughter
in the first degree
20. 1898

Indorsed by the COURT of
General Sessions
of the COUNTY of NEW YORK
Entered in the minute
for trial
Foreman

0121

POOR QUALITY
ORIGINAL

Witnesses:

affr Hogan 20th
Eugene Boylan

Counsel,

Filed

day 6th

189

Pleads,

THE PEOPLE

2nd 1st 2nd 3rd 4th 5th 6th 7th 8th 9th 10th 11th 12th 13th 14th 15th 16th 17th 18th 19th 20th 21st 22nd 23rd 24th 25th 26th 27th 28th 29th 30th 31st
Host John L. Lumber
vs.

David Wheeler,
alias James D. Blanchard,
alias Charles E. Norrell

Murder in the First Degree.
(Section 183, Penal Code.)

DE LANCEY NICOLL,

District Attorney.

A TRUE BILL

John E. Poirer

Foreman.

Part 2 - Feb. 14, 1893.

Tried and convicted of manslaughter
in the first degree.

20. *W. S. P. E.*

Apr. 24/93.

0 122

CITY AND COUNTY OF NEW YORK, ss.

POLICE COURT, DISTRICT.

of No. 10th Avenue Street, aged 27 years,
occupation Police Officer being duly sworn deposes and says,
that on the 20th day of October 1887
at the City of New York, in the County of New York, William Wheeler

now here, who did with intent
to use against another party
concealed on his person
an instrument known as
a stump shot or black jack
in violation of Section
460 of the Penal Code of the
State of New York

Frank J. Rohrig

Sworn to before me this

of

1887

day

Police Justice.

0123

Police Department of the City of New York,

Precinct No. _____

New York, _____

189

I have known Matthew Johnson about 7 years. The first time I have seen him in 2 mos was Sunday he came to my house about 4:30 or 5 o'clock Dec 11th. He ^(Johnson) saw my wife and said to her "I would like to see Mr Seay". She said to him "He is not in now". He said "When do you think he will be in?" She said - "I can't say when he will be in for he was out when I came from church but probably he will be in soon, walk in front room & take a seat for I'm going to church again".

At about 7:30 or 7:45 pm I came in. I said "How do do

A Johnson, how is everything - He said "Everything is lovely, and I said to him to sit there till I would get something to eat.

He said "While you are eating your supper I go down to the corner. I want to go to the closet".

When he came back I took

(2)

Police Department of the City of New York,

Precinct No.

New York,

189

him into the front room and commenced to talk to him. He drew his chair close up to me and asked me if I would do a favor for him. I answered I would if it did not throw me out of my way. - He said "All I want you to do is to give me your right hand" - I said "Oh I can do that willingly" He said "I want you to go, here's your carfare, go down to 25th Street to 113 and see whether Mr Sawyer is there and if he is there tell him that I would like to see him - Then go to Mr Boyd & see Mr Boyd, and see if anybody had been there to see me" - I went to these places in answer to his request. I returned home about 10:50 pm and he was still in house and remained until 11:15 pm - I told him I had seen Mr Sawyer but did not find Mr Boyd. He (Johnson) bid me good night.

0125

Police Department of the City of New York.

Precinct No.

③

New York.

189

Monday morning about 8:30 Am
 he came back and said "What are you
 drinking this morning" - I
 answered "Oh a little whiskey as usual"
 He said "Oh I don't drink whiskey
 get me some gin, "Now say, I
 feel hungry I want you to go
 out & get me something to eat and
 let your wife cook it, I want
 you to go down to 25th Street
 again just as soon as you can,
 don't delay at all and see Mr
 Byrd and ask him whether any one has
 been there looking for me or not.
 I told him as he asked me and
 when I entered Mr. Byrd's house
 I met Mr Byrd himself. Before
 I had spoken Byrd asked me
 "have you seen Johnson" I replied
 "I came down here just to see
 you now on that business and see
 whether anyone had been here to
 see Johnson." Mr Byrd said "Yes
 someone was here last night looking
 for him about 11 o'clock. There's as

0126

Police Department of the City of New York.

11

Precinct No.

New York.

189

not after him as well"
 I said "Look here Mr Byrd what
 has Johnson done?" Byrd said "I don't
 know he hasn't told me nothing"
 I said "neither did he tell me"
 I said "If I knew what he done
 I would be satisfied in running
 around on a fools errand"
 While I was speaking to Mr Byrd
 in came Detective Sullivan and
 called Mr Byrd outside & spoke
 to him - When Byrd came
 back Mr Byrd said that the
 Detective was looking for Johnson.
 Mr Byrd took his hat & went
 out.

I returned home about 10 Am
 I told Johnson I was going
 down town, but I didn't know what
 had happened then - I said I will
 leave you here and I am going -
 "Johnson said "Don't stay all day
 Come home as soon as you can."
 I went out.

0127

Police Department of the City of New York.

Precinct No. _____

New York. _____

189 _____

While I was talking to Johnson my wife said "Johnson you're looking very nice now, you can thank God for looking so nice"

I returned home about 6pm Monday Dec 12th & my wife handed me the Evening Paper - and said "Oh Dollie what do you think, They have Mr Johnson here for murdering a man in 24th St. For Gods sake get him out of my house as quick as you can. I wouldn't have the officers get him in my house for nothing. It would ruin us forever." I went in and showed Johnson the paper and said "Johnson, now here, There's got you in this paper for murder, I don't know whether you did it or not, I want you to put on your coat & hat & get right out as quick as you can" He replied "For Gods sake be quiet theres no use in you talking

0128

Police Department of the City of New York.

Precinct No.

(6)

New York...

189

like that "

I said " Whether you did this or not go as a man & give yourself up but you cant stay in my house " - I continued " get something to eat & then go."

He replied " I will go and give myself up"

He left my house about 8:30pm and I havent seen him since.

During these different conversations he appeared very nervous

Address 10242 104th St

0129

Police Department of the City of New York.

Precinct No.

New York.

189

I got acquainted with Johnson about a year ago while he was working for Thomas & Wylie in 24th Street.

The next time I saw Johnson was a Sunday afternoon in Sept 1891 in Johnsons house.

On Saturday Dec 10 1892 at about 7:45 pm I met Johnson at his room on the corner of 24th Street and 7th Ave. When I got there first he wasn't home. His landlady said to me "Johnson says If you come here to wait until he returns"

Johnson came in about 7:50 pm. He said to me "Hello is that you," he asked me if I had anything to eat and he drew from his pocket 11 dollars One ten dollar bill and a one dollar bill & said to me that we would go and get something to eat. I replied "Johnson as long as you have got this money I would be obliged if you would get my watch out of pawn & you can wear it until I can get the money & then I pay you & you can return."

0130

Police Department of the City of New York.

(2)

Precinct No.

New York.

189

me the watch" He said "All right"
 I told him I would go and
 get the ticket and I would be
 back in ten minutes. I went home
 about 7:55 pm & getting the ticket
 out of the trunk I told my brother
 that Johnson was going to get the
 watch out of pawn for me. I
 returned to Johnson. It was then
 about 8:05 pm and we both went
 to the pawn shop on 6th Ave
 & got the watch out and he took
 it. I said to him if you can sell
 that watch let it go but for
 not less than 25 or 30 dollars. We
 went and had supper. We both went
 to a ~~Mr. Johnson's~~ house at ~~on~~ West 26th Str.
 This was close to 10 o'clock.
 The lady was not home and we
 waited until eleven o'clock & she
 came in. We left there shortly after.
 We went to 25th Str to Mr
 Byrd's house. Mr Byrd, Johnson^{and}
 myself went to a Bar room on 25th Street.
 The three then went to a rear
 house on 25th Street bet 6 & 7 ave

OFFICE OF DR. CYRUS EDSON,
NEW YORK.

Dear Mr. Deeks:

I have handed the specimens
of hair to Det. Sullivan (they were
given to me by Mr. Sullivan).

The two specimens appear authentic
as any observer may see who looks
at them with the magnifying glass I
have given Mr. Sullivan. I am
compelled to visit the Cuban station -
Sund tomorrow with Com. Daly (&
perhaps the Mayor). The two specimens
were locked in my desk and I overlooked

OFFICE OF DR. CYRUS EDSON,
NEW YORK.

Then when I was first called.

Yours Faithfully
Cyrus Edson

To

Mr. Barton S. Weeks

April 17th / 1893

0133

NEW YORK PRESS CLUB
BUILDING AND CHARITY FUND,
OFFICE: TEMPLE COURT,
NEW YORK.

Hon. Bartow S. Weeks.

Kindness
of Mr. Sullivan

Captain Richard O'Connor
19th Precinct.

I went to Thomas & Mylies 132 West 24th St at about 11:30 AM Sunday Dec 11th, 1892. I saw the body of Emil Kukulhorn in the cellar, rear part, face up, (at place shown in diagram) with his feet crossed, lying in a pool of blood; I put the place in charge of Officer Reinhart, and told him to remain there until he was relieved. I remained there about 20 minutes, and immediately started an investigation. ~~I was present~~ I ordered a search made of his ^{clothing} ~~clothing~~ ^{of deceased} by Officer Reinhart; he found nothing in his pockets. Matthew Johnson was arrested about 9:30 PM Monday Dec 12th 1892; he was brought into my room immediately; he was stripped and searched in my room. He had four dollars and twenty cents: \$3 in bills and rest in change; a few small keys, and an English penny or half penny.

He was somewhat excited. He had an evening paper in his hand, and he said he saw by the paper that he was charged with killing a man in 24th St; he said he was innocent that he did not know anything about it. I asked him where he was on Saturday Dec 9. He said he was in Jersey: said he was up on the Heights somewhere: met a boy, did not know the boy: he said he went to see a man, but he didn't know the man's name: he said he wanted to get work. He then made a detailed statement

of his movements from 6³⁰ on 7³⁰ PM on Saturday Dec 11, 1892 until the time of his arrest. When asked ^{about the blood} ~~later~~ on Dec 13th, he said he didn't wear cuffs on Saturday: that he wore a black pair of pants on Saturday: that he was in the habit of going in a butcher shop on 7th Ave near 24th St: that they ^{looked with him sometimes and got blood on his clothes.} When asked when he last worked, he said for Mr Bird about 2 weeks ago. Said he had \$3000 about 3 weeks ago, and that he had not spent it.

said that he got the black pants
in 58th St near a hotel: that he
worked uptown for \$10 a week for
3 weeks: that he didn't murder any-
one, and that he didn't know anything
about Kukulhorris watch.

0137

Captain Richard
Common
19th Precinct

0138

Police Department of the City of New York,

(3)

Precinct No.

New York.

189

+ met several other gentlemen and finally I went to sleep - I awoke about 2 Am + they were still talking - I went to sleep again and awoke about 6:30 Am and said I was going down home. Johnson said "wait we're all going in a minute," I dressed we left about 7 Am and Johnson and myself went to Johnson's room and both went to bed and I slept until 11 Am and when I awoke Johnson was taking a bath. We had breakfast + he dressed.

On Saturday night he said to me we'll go up town tomorrow night. I replied that I could not get my black pants and would have to wear my plaid ones. He said, "I have got a pair of black pants in my room that would fit you" He took them to the tailors + had the pants pressed.

0139

Police Department of the City of New York,

Precinct No.

(4)

New York.

189

He told me he was going out.
 I went out and home and returned
 about 2 o'clock and lay down on
 his bed and went to sleep Johnson
 being out.

I didn't see him again until
 about 4 o'clock and we had dinner.
 He went out and left me in his
 house and returned in a short time.

He went out and said he would
 meet me at 7 o'clock in 25th
 Street and we would go to town
 together.

I went to 113 West 25th Street
 about 6:30 pm & asked for Johnson.
 Left key for him.

I returned to 113 West 25th Street and
 waited till about 8 pm when Mr.
 Peay called and asked for me &
 he told me Johnson wanted to see
 me. I told Mr. Peay to tell Johnson
 that I would wait until 10 o'clock &
 then go to bed.

I did not see Johnson again until
 Monday morning about 8 am & said
 to me "I'm in trouble" I asked him

Police Department of the City of New York,

Precinct No.

New York.

189

what the trouble was: I asked him
 what he had been doing? He said "I
 don't know" I asked him if he had any
 money and he replied that he had not.
 I told him to give me back my
 watch and I would pledge it &
 give him what money I got
 on it. I did so & pawned the watch
 on Eighth Avenue & gave him \$6.00
 he returned me \$1.00. We went up
 Eighth Avenue on a car. He got
 off some where in the forties & I
 continued on to 61st Street where
 I was going to apply for work.
 Previous he told me to tell Byrd
 that he was up town. He told me
 I could find him at Mr Seay's house
 in 47th Street & to tell his landlady
 where to find him & to go to his
 room & get his shoes & a pair
 of socks.
 I went to Mr Byrd's & there met
 Seay & both went to Johnson's room
 & Seay got shoes & socks.
 I got to Seay's house at 1 pm
 and asked Johnson what was the

0141

Police Department of the City of New York.

Precinct No. _____

New York.

1892

trouble but he would not tell ~~me~~ ^{him} x
 On my return home about 6pm I met
 Johnsons landlady & she showed me
 the papers & that was the first I
 heard of the murder.

I went up town about 7pm
 to see if it was really so.
 I saw Johnson & he said he
 was innocent. It was then that
 Mr. Day advised him to give
 himself up. "Johnson said he would
 go & give himself up. This was
 the last I saw of him.

Philip J. Sawyer B 2477 21st
 front house

0142

Police Department of the City of New York,

Precinct No.

New York,

189

James Burns, patrolman attached to the 14th Precinct Police Station says:

"On Sunday Dec 11th 1892 at about 5 30 pm Captain O'Connor sent me to find a man by the name of Hamilton who was in business at 113 West 25th Street. I did so and brought Hamilton to Station house where he told the Captain that he knew Mat Johnson who was in the habit of visiting his place of business.

By direction of Captain O'Connor Hamilton accompanied me with a view of finding Johnson.

On Monday evening the 12th of December at about 9 30 pm Hamilton pointed out Johnson to me at the corner of 29th Street and Sixth Avenue and I placed him under arrest and brought him to the Station house.

0143

STATE OF NEW YORK
Executive Chamber
ALBANY

March 6 1899.

Dear Sir:

Application for Executive clemency having been made on behalf of David Wheeler who was convicted of manslaughter 1st in the County of New York and sentenced February 24 1898 to imprisonment in the State Prison for the term of twenty years

I am directed by the Governor respectfully to request that in pursuance of Section 695 of the Code of Criminal Procedure, you forward to him a concise statement of the facts of the case, together with your opinion of the merits of the application.

It is particularly requested that each letter of enquiry from the Executive Chamber should be separately answered.

Very respectfully yours,

Ans. Asa Bird Gardner
District Attorney
New York

Wm J Young
Secretary to the Governor.

COURT OF GENERAL SESSIONS.

P A R T I I .

-----x
 THE PEOPLE OF THE STATE OF NEW YORK,

against

David Wheeler, alias James D. Blanchard

alias Charles E. Morrell.

Before Hon.

Frederick Smyth

and a jury.

-----x
 Indictment filed November 17th, 1892.

Indicted for Murder in the First Degree.

New York, February, 14th, 1893.

APPEARANCES: For the People, Assistant District
 Attorney Francis L. Wellman, and Mr.
 Thomas J. Bradley.

For the Defendant, Mr. Stephen S.
 Blake.

GEORGE A. DORAN, a witness for the People, sworn, testi-
 fied:

Direct examination:

I am a police officer. Central Station; Detec-
 tive Bureau. On the evening of November 3rd last year;
 I was with officer Carey that evening. About a
 quarter to 10 on that evening we were standing at the
 corner of 29th Street and Seventh Avenue. I saw this
 man Wheeler and another man cross down 7th Avenue
 towards 28th Street; they wheeled around and came back ad
 of 29th st
 crossed from the south side to the west side of 7th
 Avenue . They stood the a few minutes and then
 crossed to the north side, and walked towards 8th Av.
 I went to the corner and saw them about twenty five
 feet down the street standing against a storm door.
 There were six or seven men standing where Whheler was.
 There was a man who was intoxicated standing a distance
 from Wheeler.

A colored man brought this drunken man down to where Wheeler was standing. I walked back to tell Carey, and going to the corner again, I saw that some of the men had gone away. I left him and went down the street towards 8th Avenue, and looked into a saloon; as I looked in I heard the report of a revolver; I saw this man Wheeler backing away from Carey; the revolver was pointed at Carey, and was still smoking. The step I was standing on was about ten feet from the corner; they were near the gutter. When I saw them they were about four feet from the gutter. I ran over to them. Carey had hold of him then, and I grabbed his wrist where the revolver was. Carey says "George, I'm shot". I says "Let go of that man Wheeler" and then he tried to point the revolver at me, when a policeman struck him on the head with a club and we all went down. Carey gradually fell on his knees. Carey was taken to an engine house, and Wheeler was taken to the Police Station in West 30th Street. When I arrived on the scene Carey did not have any weapon in his hand. Vallyely who helped to arrest this man appeared when we all fell. We started to carry him to the Station, and then allowed him to walk. He said "That man has been persecuting me". He was searched. Carey's body was brought in on a stretcher. I was there when it was brought in, and his effects were taken from his pockets; his revolver was taken from his hip pocket. When Carey was brought in, Vallyely says to Wheeler "See what you have done now" and he said "Yes, I realize my position"... He afterwards made the remark; "I didn't mean to kill

him".

Cross examination by MR. Blake:

I have been connected with the Detective Bureau about eight months. I have been nearly seven years on the police force. When these men came by we were standing in a position that they could see us if they liked. I first knew Wheeler on the 12th or 10th of October last. I happened to see him at the Jefferson Market Police Court.

They were standing at this storm door with their backs against the wall. This was about twenty five or thirty feet from the corner. I was in front of the saloon. I didn't see Carey or what he did after I left him. I heard a report of pistol, I don't know how near they were to each other when the shot was fired or anything about that. I saw the defendant backing off towards the gutter; it was right at the corner on the sidewalk, in front of the building line. Carey did not have hold of him; there was no one holding him. He only fired one shot. I did not see the defendant come through the door of the saloon chased by Carey. On the way to the station house, Vallely said "I think you have done your man" and Wheeler said; "No I pointed down low, I guess I shot him in the leg". That is all the conversation I can recollect, except what I have stated before. I don't recollect defendant saying, "I intended to shoot him in the leg". I heard Vallely testify at the coroners inquest. I recollect Vallely testifying to the effect that Wheeler said that Carey had threatened to kill him if he moved, and then

he shot at him. . I have had no conversation with Vallely about the occurrence. I have been in his company since and have seen him every morning at roll call. I did have conversation with him about this case. I didn't understand you when you asked me before. For five or six days we were collecting the evidence and the witnesses together. I spoke to him about it a great number of times. I have not talked with any of the other detectives about the case. I have talked with the District Attorney and with the witnesses. I did not compare notes with the other detectives; it was not necessary.

When struggling with Wheeler I twisted his arm and squeezed it in trying to get the pistol away from him. I did not know that Carey was shot until I heard him holler to me. His revolver was pointed towards Carey when I grabbed his hand and tried to force it away. I recognize the revolver shown me as the one he used also the bullets taken from it. . I did not take that pistol away from the defendant, but I took the bullets out of it. I recognize the pistol shown me as belonging to Carey. I saw it taken out of his hip pocket after he was killed. It was in a leather case and loaded as it is now. I was on duty on that night with Carey, looking for Wheeler. I was under instructions.

ROBERT A. WILK, a witness for the People, sworn, testified:

Direct examination:

I am a paper hanger and painter residing at 333 West 29th Street. I was on the corner of Seventh Avenue and 29th Street on the night of November 3rd, a little before ten o'clock. in Eugene Boylan's bar-room. As I was leaving the bar-room I saw some people struggling on the sidewalk. I turned around to tell the people in the bar room of it, when I heard the report of a fire arm. I turned again and saw these men struggling on the street. I could not distinguish who they were but since then I found out they were Officer Carey and David Wheeler. When I seen them struggling just off the curb I went and stepped from the sidewalk myself and I seen Officer Carey, the larger man of the two; he had the prisoner by the lapel or somewhere by the shoulder and the wrist; his right hand or left hand was grabbing the right wrist of the smaller man of the two, the prisoner. The prisoner had a revolver in his right hand. I caught him by the right arm with my left, and wrenched the revolver out of his hand. I dont recollect seeing Officer Doran. I put the revolver in my pocket. The larger of the men, Carey, looked at me. Carey still held the wrist of Wheeler when I took the revolver away, and did so until he sank to the ground. I tried to support him; he was a heavy man and I could not do it. He went down with his legs under him. Then Mr. Vallely came along, and said "My God it is John Carey". That was

the first I knew of his name. He didn't answer him. The prisoner was there at that time. . Then an officer came along and I pointed out Wheeler and the officer struck him on the head with his club; there were others who struck him. I helped to carry the body to the engine house. During the struggle Carey had no weapon in his hand. . I gave the pistol to Officer Madden in the engine house. I saw the pistol taken from Carey's body at the Station. It was in his right hand hip pocket, in a leather case. At the Station, Vallely says to the prisoner "You see what you have done" and the prisoner said, "Yes I am sorry for it; I didn't intend to kill him".

Cross examination:

I testified at the Coroner's Jury. I saw an officer knock the prisoner down; I think it was Hogan. He struck him deliberately; others tried to hit him. At the time the prisoner said "I am sorry for it" I don't remember any remark about shooting for his leg.. I won't deny that Officer Doran was there: I remember somebody asked me for the revolver and I refused to give it up; it has since been found out that it was Doran. I am not easily excited. I remember that the large man was Carey who sank down, and that Vallely said, "My God, it is John Carey".

JAMES F. VALLELY, a witness for the People, sworn,
testified:

Direct examination:

I am a Detective Sergeant under Inspector McLaughlin. I a recollect the night of November 3rd. I was attracted to the scene of this shooting by hearing a shot. When I heard it I was in Nelson's Liquor Store 30th Street and 7th Avenue. It was about nine o'clock. At the corner of 29th Street and 7th Avenue I saw a crowd. When I got there I saw Doran and Officer Hogan; they were on top of a man in the crowd who was lying down and the officer was over him. Doran was facing me, and I said "What is the matter?" and he said "Carey is shot". I said "Is this the man who shot him?" and he says "Yes". I then walked over to where he was lying about two or three feet from where they were standing. I picked up his head and said "HJohn do you know me"? and he made no answer. Madden Sullivan and the foreman of the engine company picked up Carey and said they would take him to the Engine House. I made a prisoner of the defendant. I got him up on his feet, and he said; "That aint my hat". We started to take him to the 30th Street Station I said "I guess you have done you man"; he said; "No I guess he is not hurt bad, I fired low". I said "How did it all happen?"; He says: "That man Carey has been persecuting me". I said; "Did he ever arrest you?" and he said "No". Doran was on the right side of him. I was on the left, and Sullivan was back of us, close behind. I sat him down in a chair at the Station.

The matron dressed a cut on his head. I then took a pair of handcuffs and cuffed him in the chair. He said to me "Find out if Carey is badly hurt". Some one came in and said "Carey is dead". He said "That cannot be ; I fired too low to kill him. The body was brought in and laid near him. I faced him around in the chair, and raised the sheet from the body, and said; "You see what you have done now". He said "Yes, I realize my position, but I didn't mean to kill him."

I took Carey effects from his pockets, and put his revolver in an envelope and brought it down to headquarters with Blanchard or Wheeler; he gave the name of Blanchard that night. Wheeler told me that Carey came across the street with a revolver in his hand to arrest him, and said "You son of a bitch, Wheeler, I want to arrest you" he says ---no, he didn't say "You son of a bitch" he says, "Wheeler I want you, and if you move I will kill you. Those are the words Wheeler used to me. He told me this when I was taking him to the Station house. That was the first thing he spoke of. Cross examination:

I was not intimate with Carey; there was a feeling between us and we didn't speak. On that night I did not say; "My God, it is John Carey". . I don't know whether the witness Arnold was there or not there was quite a crowd. I said to Doran, "What is the matter"? and he said; "Carey is shot". I said "John when I raised his head up. I did not say to the defendant "If it is necessary to connect you with Jesse James we will do it" or anything like that. I said , if I

had been there I would have clubbed him. There was only one cut on his head where the officer hit him. It was necessary to send for an ambulance; the surgeon said there was nothing serious the matter with him. When the body was brought in he stood and said: "Oh my God". I did not find any warrant on the person of Carey when I searched him that night.

I identify the revolver shown me as the one I took from Carey. I found it loaded in that condition. There was some dust and nap of clothes on it. Nelsons saloon is about 200 feet from Boylans. I ran out of it when I heard the shot. He was lying on his back and Hogan and Doran were on top of him. It was about four or five feet from the curb. I did not know Arnold until I saw him in the station house.

PETER HOGAN, a witness for the people, sworn, testified:
Direct examination:

I have been connected with the 20th Precinct going on seven years. I recollect the night of the shooting November 3rd; I was attracted to the scene by a pistol shot. I was on the southwest corner of 30th Street and Seventh Avenue. It sounded from 29th Street; I was looking down that way. I ran down and saw two men scuffling. Officer Carey had hold of the defendant. Doran had hold of him from behind. Defendant had in his hand a revolver and was struggling to get it around. I saw him make three or four lunges to get it around and I struck him on the head with my stick, and knocked him down. Detective Carey fell with him and held him a min-

ute or two. I rapped for assistance. I held Wheeler down until assistance came; then Detective Madden and somebody else took Carey away. Wheeler struggled again to his feet and somebody else struck him; I don't know who it was; and knocked him down again.

Cross examination:

I am a police officer. My post that night was the West side of Seventh Avenue from 27th to 32nd Street. When I heard the shot and looked I saw two men running; one was holding the others coat; they were struggling; they were running northeast; they ran off the sidewalk. They continued to struggle until I reached the corner; Carey and Doran were struggling with him then, and I knocked him down and that ended the struggle. I didn't take hold of him. I looked for the pistol then, and Arnold said "I got it". The pistol was in his hand when I struck him. . He was stunned for a moment. By that I mean about ten seconds. I was not excited. I did not beat him again somebody struck him from behind me, over my arm. At that time Vallely Madden and Sullivan were there. I did not assist in carrying him to the Station. I have known Carey three or four years. I probably met him twenty times in Court. Vallely said something to Carey; I think it was "Are you shot bad?" I wont swear whether he said "My God it is John Carey".

CORNELIUS J. SULLIVAN, a witness for the People, sworn, testified:

Direct examination:

I am a detective officer attached to the 19th Precinct since last October. I recollect the night of the shooting. I was in front of the Station House on West 30th Street when I heard the shot. I looked towards Seventh Avenue and saw a man running towards 7th Ave. and I ran myself. Detective Madde n went with me. When I got to the scene I saw Carey kneeling down with the prisoner underneath. Doran was trying to lift Carey up. I pulled Wheeler from under Carey. Wheeler was resisting and I put my nippers on him. Carey was taken to the engine house, and we started with Wheeler to the Station house. On the way Vallyely made the remark "You have done your man" and Wheeler said; "That man has persecuted me. I have only shot him in the leg". Wheeler was taken to the back room and put in a chair. Carey was brough in a laid in front of him; the cloth was taken off his body, and then Wheeler said "My God, I realize my position, I didn't mean to do it". I saw Vallyely take a shield and a revolver from Carey's hip pocket; the revolver was in it's leather case. He called my attention to the dust on the top of the gun, right behind the hammer. I dont know if the gun was loaded or not. I didn't see it taken out of the case.

Cross examination:

I did not appear before the coroner's jury as a witness. I am a ward detective; 19th precinct. . I heard the pistol, and I ran to 7th Avenue. I know nothing

about the beginning of the trouble. I had hold of Wheeler before anyone else did. Hogan was there at the time. I had no conversation with Valley last night, or with the other witnesses. . I don't know whether Vallely was there before me or not. I used force in holding Wheeler; I believe I hit him on the shins with my billy. He was kicking with his feet and lying on his back. I dont think he was unconscious at any time; he was not when I got there. No one struck him besides me while I was there; I struck him to keep his feet down. When we got the re to the Station the ambulance was sent for; it was intended for Carey and not for this man. When the ambulance was rung for Carey was at the engine house. I did not leave the station house after we brought the prisoner in. The surgeon dressed the head of the prisoner. I didn't hear what he said. I didn't hear prisoner say, "I fired low". I heard him say "I meant to shoot him in the leg". Vallely might have said something to him on the way to the station that I didn't heard. I was keeping the crowd back. Prisoner said "I didn't mean to kill him".

BESSIE CHAPMAN, a witness for the people, sworn, testified:

Direct examination:

On Nov. 3rd. I lived at 325 West 29th Street. I was coming out of the side door of Boylan's saloon, on 29th Street. I was going towards 8th Avenue. David Wheeler was standing at the door talking to two men.

He said "How do you do, Bessie?" and I said "How do". He had gold glasses on, and he said. "You did not recognize me with those glasses on, did you?". I said, "Yes" He took them off and put them in his pocket. I says; "Where have you been so long?" He says, "I have been to Baltimore". That is all he said. I saw a gentleman run across the street from the opposite side. Wheeler saw him and ran through the storm door, the west side to the east towards Seventh Avenue; as he got to Seventh Avenue this man grabbed hold of him. He got away and as he got betwee the curb and the car track he grabbed him again. Wheeler turned around and then I saw a flash and I didn't see who did it. He grabbed hold of Wheeler with his right hand, by the back of his coat. Carey had no weapon in his hand. When he ran after him he did not strike him. As soon as they began to run there was a crowd assembled from all directions. I saw Carey try to catch him by the collar.

Cross examination:

I appeared before the coroner's jury as a witness. These three gentlemen were standing close to the wall of the building, conversing to gether. He spoke to me first. I did not know he had poor eyesight; I knew that he wore glasses. He was between the other two; he did not move when he spoke to me. . The others did not take part in the conversation. He did not have time to bid me good night. I was standing there when he started to run. . His starting to run attracted my attention to the man crossing the street... I have been in the House of Detention three months. I have been ill.

I was brought to the District Attorney's office, and made a statement; there was no one there representing defendant. Mr. Bradley took the statement, no one else was there. I made the statement then that I am sticking to now. I did not suppose that I would be released if I made this statement. . It was about ten o'clock at night that this affair occurred. I was not excited. The man did not come up and seize him violently and strike him with his fist before he ran. . A lady started to come out of the saloon with me; she waited for me at the chowder stand when she saw me talking to this man. I have talked to Arnold since this affair. since the trial began. I have talked with officers; they told me to tell the truth and do the best I could; Vallyely told me that. He is the man that arrested me. I had no conversation with others about the case. . I told Vallyely I was excited. He said there was no use in getting excited, and to tell the truth.. When Wheeler started to run the other man was at the curbstone. He ran through the storm door after him and overtook him about the corner. ; the pistol was fired whilst they were clinched. I did not hear their words. It was just a week after that, I testified at the coroner's inquest. I didn't remember making the statement that I could not recognize him with the glasses; if I said "No" it was because I was excited. I meant to say "Yes". When the shot was fired they were close together. I am dressmaker, I take in work. I was not working at the time of the shooting. I was a woman of the town. The sidewalk there was about four feet wide.

FREDERICK REINERT a witness for the People, sworn testified:

Direct examination:

I am a city Surveyor. At the request of the District Attorney I made the diagram shown. It represents the intersection of 29th Street and Seventh Avenue, showing the interior of the saloon at the northwest corner. . The distance across the sidewalk in front of the storm door is fifteen feet. The distance from the easterly side of the storm door to the curb is 38 feet. It is a correct diagram.

THOMAS J. MADDEN, a witness for the people, testified :

Direct examination:

I am a precinct detective; 1st precinct. On the 3rd of Nov. I was connected with the 19th. I saw this defendant on October 10th at the Jefferson Market Police Station. Carey was there. . Something was said by Carey about this defendant in the presence of this defendant. I saw the defendant standing at the rail in company with two other prisoners, Woods and Kelly. Detective Carey identified the defendant; He said; "This is Dave Wheeler". . That is all I recollect hearing.

Cross examination:

Defendant said nothing that I heard.

THOMAS F. BRENNAN, a witness for the People, sworn, testified:

Direct examination:

I am an officer, Ninth Precinct. I recall

October 10th, 1892. I saw this defendant, Carey and Madde n at the Jefferson Market Police Court. Carey asked me in the presence of this defendant if I knew who we had. . He told me that the prisoner was an ex convict who had just come down and he told me that Jimmie the Loon was another ex convict, and the third man I knew myself, Thomas. Prisoner gave his name as James J. Franklin. They were held until after the Columbian Celebration and one was fined five dollars for carrying a revolver and the other two were discharged. Cross examination.

I made the arrest of this man. He was with Farrel a thief whom I knew and he was arrested as a suspicious person. They were going towards the Christopher Street Ferry when I arrested them. . He was remanded until the following Friday and discharged. He was arraigned on the charge of suspicious person.

GEORGE BRODERICK, a witness for the People, sworn, testified:

Direct examination:

I am a ward detective in the ninth Precinct. I recall October 10th, 1892. I saw defendant on that day, also Carey, who identified him, at the Jefferson Market Court. He was under the name of James J. Franklin. Carey identified him as David Wheeler.. Carey said to me; "they are two ex convicts". I knew one of them, Farrell, who gave the name of Russel Thomas. . Care asked me if I knew who we had? He says "I was looking for them people all night. When I was taking them back

after their being remanded, he had a watch and chain on him, and he says; " Take that watch and chain off him; you might find an owner fot it.".

Cross examination:

He was charged with disorderly conduct. My duty was to arraign these prisoners before the judge. They were standing there waiting. Carey pointed out Wheeler and said "That's Dave Wheeler". This defendant was committed for examination until, the next Friday. It was in the presence of the justice that we talked about Wheeler. I took him downstairs and he was locked up. I knew Carey well; I know Doran and Vallely. The first time my attention was called to this conversation was when the District Attorney sent for me after the man was shot. I have not talked with Vallely since the shooting, about this case nor with any other officer or person.

WILLIAM HICKEY, a witness for the people, sworn, testified:

Direct examination.

I am twenty years old. I have been on the House of Detention since Nov. 5th. I have known defendat about two and half hmonths before the shooting. I got to know him through Fa rell: I met him eight or nine times. On the corner of 30th Street and 7th Avenue, I heard Wheeler say in the presence of a man named ca Casey, and others; that Carey and Doran were looking for something, he didn't know, and he said he would never leave Carey take jhim in. I saw Wheeler on the

night before the shooting, at 240 W. 40th Street; there were present Thomas Brady, a Mrs Kearney or Miss Edwards as they call her and Wheeler. Wheeler told Mrs. Kearney that Carey and Doran were looking for him for something he didn't know, and she told Wheeler he better not go out and get himself in trouble. He didn't go out.

I saw him on the night of the shooting in Miss Edwards house about seven o'clock. I told him I would be back about 11 o'clock, and he said he would be there.

I heard of the shhoting in Boylan's saloon about half-past 11 that same night.

Cross examination:

I made a statement to Mr. Bradley at the District Attorney's office. to Mr. Bradley. I was working on the Dock department about three years. I was out of work three weeks before this occurrence. I was never arrested or convicted of crime. I live at 553 W. 39th Street.

Q. What was said before he introduced this subject; the first thing that was said and who commenced the conversation? A. Well a man named Hurley told Wheeler

that Carey and Doran was looking for him, that some grocery store had been robbed in 40th Street, and they blamed it on him and they were looking for him for it. .

Hurley said that Carey had arrested him as a suspicious character and asked him where Wheeler was stopping.

This was said in my presence. Wheeler said he would keep out of their way. About three days after that he made another remark; he said; "Carey is looking for me

for some grocery store that is robber in 40th Street. I aint going to leave him take me in.". This was at 32nd Street and Seventh Avenue. We were talking about taking a walk down to Boylan's to see who was there. We frequented there. When he mentioned the matter to Mrs. HKearney he didn't say that Hurley had told him so. He didn't make any threat, he said he would keep out of the way. He only laughed when she said "Dave, you better not go out". . He told me several times that he would never let Carey take him in. Whenever the subject came up, or when anyone told him that Carey and Doran were around, he would say this. . I taken once or twice with Vally and Doran since the trial began. I have talked with Arnold, Bessie and the colored man about this case. Wheeler was cool and pleasant when he made this remark about Carey taking him in. It did not impress me that he meant anything serious by it. I made the statement to the district attorney of my own free will; I told him the truth. There was no accusation made against me in connection with this homicide or murder.

EDWARD TAYLOR, a witness for the People testified as follows:

Direct examination:

I reside at 445 West 56th Street. I am a driver. I met the defendant on the night before the shooting occurred, in Boylan's saloon, 29th Street, and

7th Avenue. I was standing at the bar about ten o'clock. Wheeler said to me " I hear Carey is looking for me, if Carey goes to take me he will have to shoot me, I won't go with him no other way". . I had friendly relations with Wheeler for about three months.

Cross examination:

I drove for the Eastman Beef Company. I have been convicted for petty larceny once, and got five months. I used to be in Wheeler's company a good deal; we frequented Boylans'. I don't remember who was present in the saloon. I made a statement to headquarters. It was about ten o'clock. Hickey was not present. . He tapped me on the shoulder and took me aside and told me confidentially. I visited him at the Tombs and I said to him "Did you believe what you read in the papers?" and answered, "How could I?". I didn't make this remark; "Dave, I am a married man and have a wife and children to support, I thought of them and said anything to keep me at liberty"? Nor did I say, "I shall leave the city when your trial comes off". . I have never been to State Prison. I had a conversation with Vallely yesterday and to-day; he told me to tell nothing but the truth, and take nothing from it. I have not spoken with other witnesses or officers about the case. Wheelers manner when he made the remark about Carey was pleasant. I was subpoenaed to the District Attorney's office and made a statement; I didn't swear to it or sign it. It was after that I went to the Tombs. It is six years since I went to the penitentiary for this petit larceny. Since then I have been leading an

honest life. My conversation with Wheeler at the Tombs was: "Dave, I am sorry for you"; he says "Well I guess it will be all right". I says: "I was not around that night I was at the theatre, and did not hear of it until I went to the saloon and the proprietor says, 'Carey is shot' and I says, 'Is that so' He says, 'Dave Wheeler shot him' and I says, 'Did they get him, and he says, 'Yes'". I never had any unfriendliness with Wheeler.

FRANK J. O'HARE a witness for the People, sworn,
testified:

Direct examination:

I am deputy Coroner. I made an autopsy on the body of John Carey November 4th, at 10.30 at 413 West 59th Street. There were no external marks of violence except a pistol shot four inches below the navel; probing it I found it extended downward to the right, penetrating the femoral artery, an inch and a half of the pubal ligament. I examined the brain and organs of the body and they were free from disease with the exception of the heart; there was a little thickening of the aortic valves. The cause of death was hemorrhage produced from the pistol shot wound of the femoral artery I identify the ball produced here. It has been in my possession. It is the one I took from the body.

FREDERICK REINERT, recalled by the People, further testified:

On the map of the storm doors, they opened inward ;
I could not say if they opened outward also, or swung both ways. I drew the map and made the measurements

myself. I did not examine whether they swung outward too.

THE PEOPLE REST.

THE COURT: You have not identified this body, as the body of the person mentioned in the indictment.

MR WELLMAN: I will call another witness.

EDWARD GORDON, a witness for the People, sworn, testified:

Direct examination:

I am an undertaker. I had charge of the interment of John Carey. I found the body in the 30th Street Station house November 4th, at about 10 minutes past 12. I was present at the autopsy.

Cross examination:

I knew Carey by sight passing my place of business not by acquaintance. I knew he was a police officer.

MR. WELLMAN: The People rest.

D E F E N S E .

JONAS A. ROSSMAN, a witness for the defendant, sworn, testified:

Direct examination:

I am a plumber at 367 Lexington Avenue. I reside at 204 Alexander Avenue. It is about ten years ago since the defendant first came in my employ. The entire time he has worked for me has been about four years. I never had a man in my employ that was more even tempered, more gentlemanly or social to anybody.

Cross examination:

He started to work June 17th, 1883, and worked until October 7th, 1883. He came back January 18th, 1885. He worked until November 12th, 1886. He came back April 3rd, 1888 and he worked until June 14th, 1889. Came back February 5th, 1890 and worked one month. He always went by the name of David Wheeler. The last time I laid him off was because I had no work for him. All the other times he left voluntarily.

MILTON SCHNEIER, a witness for the defendant, sworn, testified:

Direct examination:

I am a plumber, residing at 230 East 61st Street. Business at 347 Columbus Avenue. I have known the defendant during the past eight years. He worked for me from July to September 1892. His reputation for peace and quietness was always excellent. I was a co-worker with him.

Cross examination:

I have not got the date he worked for me. I once heard he was locked up. I didn't know he was at Sing Sing, or what crime he committed.

MICHAEL GOULD, a witness for the defendant, sworn, testified:

Direct examination:

I live at 772 Columbus Avenue. I am in the drug business at 93rd Street and Columbus Avenue. I am clerk. I saw the defendant on Nov. 3rd at 240 West 40th Street.

I saw him there from 11 in the morning until about 9 P. M. He asked me for the loan of some money. I did not lend him any. He went out. I handed him a revolver from the top bureau drawer; he took it, went out. I stayed in the house. I knew the defendant six months. I have seen him wear glasses; I believe he has weak eyes.

Cross examination:

I boarded in this house with Mrs. Edwards. It is not true that when these gentleman came to the house they found me washing her leg. She is not a prostitute to my knowledge. Wheeler visited there.

Re direct examination:

They were respectable people that lived in that house. I was never arrested except on the occasion when the officers came in after the shooting. They took me too. Mrs. Carney is a married woman. She passed then by the name of Mrs. Edwards. At that time Mr. Carney was in the Tombs.

JAMES O'TOOLE, a witness for the defendant, sworn, testified:

Direct examination:

I live at 424 West 33rd Street. I am a bartender at 40th Street and Eight Avenue. I knew Carey. I didn't know Doran until he took me to headquarters. Prior to November 3rd, there was some money stolen from the drawer of the saloon. I could not say who it was who took it; it was while I was looking at a parade at the front door. I didn't make any complaint. I was

brought to headquarters to identify in this defendant I could not identify anybody. . I never spoke to Officer Carey in his lifetime. I dont remember the shooting or when it was; I heard of it; I didn't take any interest in it. . I dont know how long before or after the shooting that this money was stolen. I cannot identify this man. Whoever it was stole the money, there was no breaking o into the place; it was open.

Cross examination:

I described the man whom I saw running out of the place, to the police. I said he was a short man with a kind of black mustache. I cannot identify the defendant as the man.

MICHAEL GOULD, recalled by defendant, further testified:

I was not engaged in washing any legs. Thomas Wallace is the man the District Attorney refers to; he was sitting beside this woman Celia; I don't think there was any washing at all. There was a man named Rob there at this house; I do remember his coming back to the house after the shooting. I have not kept any track of him since. I am not living in that place now.

DAVID WHEELER, the defendant, being sworn, testified:

Direct examination:

I am 27; was born in New York City. I am a plumber; I first went to work at it in 1880; I was then about fifteen. I have worked since then at the business, except when I was in trouble. In have lived all this time

with my folks. When I was first arrested I was 16; it was ^{for} cropping down a tree. On the second occasion I was arrested for grand larceny. I was convicted and sent to the Elmira reformatory. I was arrested on another occasion; I don't know what the charge was but I was discharged. I was arrested for intoxication in 1889. I was discharged. I was arrested in October 1890 for a crime of which I was innocent--burglary. By the advice of the Captain of the Court I pleaded guilty to an attempt at Burglary. I was sentenced for one year and 11 months. That is all. I was arrested for disorderly conduct in 1883.

On the occasion of my arrest October 10th, I was going towards the Christopher Street Ferry, with two friends; we were attacked and had a melee, and then went into a saloon, and when we came out we were arrested, and brought to the Charles Street Station House by Officers Brennan and Broderick. I was charged with disorderly conduct. At Jefferson Market I was put over until Friday for examination. I was discharged on Friday. I was entirely innocent of the charge. I never saw the man Carey in my life to know him until the accident. I heard no remarks made by him about me in the Jefferson Market Court.

On the day of the homicide, I was at the house of Mrs. Kearney until the time I went to the saloon. I had a pistol in my possession in that house. I asked

Michael Gould if he could loan me two dollars . He did not lend it, so I said I would take a walk. Gould handed me the pistol. I left the house intending to ~~take~~ take a walk and borrow some money from the barkeeper at Boylan's saloon. I met a friend who accompanied me. I looked in the side door of Boylan's but could not see the bartender. I saw a friend of mine--Jimmy-- and called him out ^d and asked him if Jack Connelly the bartender was in there, and he said he was. We went in and I saw that the bartender was busy so I didn't ask him. We went into a side box; there was a woman in there and we had a drink. I invited Jimmy to walk outside with me. He loaned me two dollars; I offered the revolver as security. Just then a lady came out and I stepped one side to speak to her. I took off my glasses. I said to her "i have just come in from Baltimore. I will not detain you as your friend is waiting". I stepped back to the men. The revolver was handed back to me. Just then someone grabbed me very violently on the right shoulder from the rear. I turned quick with my hand up in the air and I received a blow on the temple which drove me against the side wall of the building; the force of the blow dazzled me, and I ran in the direction of Seventh Avenue, passing through the ~~stom~~ door of the saloon. When I got about the middle of the sidewalk on 7th Avenue my assailant said, "Wheeler I will kill you; you son of a bitch"; he struck me a thundering blow on the back of my head which staggered me and I almost went to my feet; I ~~t~~^{turned} and grabbed the

hand that struck the blow. My assailant broke it loose and started to rain blows on top of me; blow after blow. We struggled and I thought my life was in danger, or I was in danger of bodily harm, I had the revolver in my hand, and I forced my hand down towards his leg, and on the impulse of the moment I pulled the trigger. The shot went off and as true as there is a God in Heaven, I never intended to take that man's life. My assailant clung to me and we backed into the street. Then a young man, whom I know now is Mr. Arnold, came and grabbed hold of both of us. He took the revolver out of my hand. I then received a blow on the head from some officer's stick, it stunned me and I fell to the ground; they all started in to club me and I tried to keep the blows off. While I was trying to keep these blows off, I saw my assailant sitting down in front of me, and I heard a gentleman say, "My God, it is John Carey"; someone else remarked "Who, Officer Carey?" and the man said "Yes". Then someone said, "Carry him over to the other corner and attend to him". I was then clubbed into insensibility. When I next came to my senses they were carrying me. I said I thought I could walk, and they let me down. Officer Vallely was on the left side of me. They put a hat on me, and I said "this is not my hat, I don't want this". and he says "Put that hat on your head, it is all cut". He says, "I guess you have hurt that fellow pretty bad". I did not answer that question and then he says to me, "How did it happen?" and I said "It is a

case of persecution". I was supported to the station house by the two officials. One was Vallely, I don't know who the other was. I gave the name of James D. Blanchard to the Sergeant, and the address Chicago, Ill. I was weak from loss of blood, and they sat me down in a chair in the back room. The surgeon came in and dressed my head. Vallely made the remark, "I guess you have hurt him pretty bad"; I said, "No, I don't think so". Then Carey was brought in and laid in front of me, and Vallely lifted the sheet off his face and he said, "Dave, look what you have done". I ^{said,} ~~said~~ "I am sorry for it, I realize my position now, I never intended to take his life, I meant to shoot him in the leg". Then another official said excitedly, "You have done your man--you have done your man"... several times. I said "No, no, no, for God's sake, don't say that; I am not that kind of a man". I said to Mr. Vallely, "You know I am human, and I am in serious trouble". I says; "You are a citizen and I place my person under your protection, see that they don't harm me any more, for I am half dead now"; he promised me his protection. I was then handcuffed and taken to 6th Avenue and 30th Street. I was in a cab with Vallely and another officer. On the way Vallely said "If I had my way I would blow the head off of you". The other officer remarked; "Well Dave, I honestly don't believe you meant to take that man's life, but if I had my way I would run a knife in your stomach and pull it up to your neck". I don't remember his name. I was taken to the Central Office, examined and locked up.

Vallely made the remark, "We will convict you if it is necessary to connect you with Jesse James". . . When I was brought to the station, I heard the Sergeant say, "Ring up an ambulance". I don't know whether it was summoned in my behalf.

When I crossed 7th Avenue toward the saloon, I saw some men there but didn't recognize them. I never knew John Carey. I knew Hickey met him twelve or fifteen times; had a friendly acquaintance with him.

Q. Hickey testified that you said to him that Officers Carey and Doran were after you, that you replied they would not take you in; did you ever make such a remark to him? A. No sir, I never used any such remark to anyone living, in my life. I made no threat against Carey or any one else. In regard to witness Taylor, I never mentioned a word to him of what he has testified here about Carey having to shoot me before he could take me in. I had no conversation with Taylor in which Carey was mentioned. He visited me at the Tombs; he said he made a statement at the District Attorney's Office; he said when he made the statement that he was drunk. He said that his statement was untrue that he had a wife and children and he didn't want to go to the house of Detention. I was present at the coroner's inquest. Bessie Chapman testified there that she did not recognize me that night. I saw no man running across the street that night; my back was to the gutter. I testified that the first intimation I had of this man's presence was his seizing me. I was about three feet from the building at the time; he followed

me through the storm door. He showed no warrant; he did not say he had one, or that he wanted to arrest me.. He said nothing but what I have related.

O'Toole was brought to identify me; he said that I was not the man who took his money. I have committed no crime or offence since I came from prison. I never committed a crime; I was convicted of grand larceny^{at}, because I was found in the company of crooks who were disposing of stolen good; I received none of the proceeds, I never stole a nickle in my life. I was convicted as an accomplice; I was not actually guilty.

When I fired the pistol we were clinched. We were struggling when the pistol was taken from me. It was after that that Hogan struck me. The officer who remarked "You have done your man" was not in Court. I don't know his name. He was in uniform. It was said in the presence of other officers.

When I fired the shot I did not know the man was an officer of the law.

IX
97
[] Q Had you any intention of killing that officer that night? [A. No sir, I would not take the life of a cock-roach or a fly.

Cross examination:

My real name is David W. Wheeler. I have gone by the names, Charles E. Morrell, James J. Franklin and Blanchard. I changed my name for the reason that as I was unfortunate enough to get into the hands of the law I didn't want to bring disgrace on my folks.

I cannot remember being indicted a for assault with intent to steal. I was committed to the Catholic Protectory, it was in my childhood; my parents sent me *there*. ~~there~~ When I was tried for larceny, I was sent to the Elmira Reformatory; I pleaded not guilty.

The next time I was arrested I gave the name of Murphy, I think. I am not a professional thief; I am not a till-tapper. I never stole a penny.

I was convicted in October 1890 for burglary in the third degree. I pleaded guilty because I was advised by a court official that if I stood trial, I would get five years. I was innocent. I have never been in the penitentiary. I have been in Dannemora; drafted there from Sing Sing.

I dont recognize Officer Ryan who you say arrested me. I never said to him "If I had a pistol with me no officer would arrest me". . I remember a plumber Flynn whom I worked for. I never said to him that if he didn't pay me I would stick a knife in him.. I did not know that Jimmy the Loon was a professional pickpocket, or Farrel either. I deny that we were going to Newark to work a parade going on there. I said at the Jefferson Market Police Court that I didn't know anything about Carey. He did not come up to me. I did not hear the conversation the officer testified about. . I am not in the habit of standing on any corners. I was not knocking around any certain corners. At the time of the shooting I was living with my folks . I wasn't living with Mrs. ^KCarney.

I slept there the night before. I haven't lived in the 20th Precinct since, 1887. I did not know the names and faces of the 20th Precinct detectives.

The pistol was handed me as I was going down the stairs; it was not my pistol; it belonged to Hickey. I had a revolver that I called mine but I didn't have it on my person. I believe the police have it now They got a revolver from him and I suppose it was mine. I always carry a revolver. I got a revolver first in 1887, when I was going on a vacation, for target practice, and got into the habit of carrying it after that. The words that Carey used before he struck me were, "Wheeler, I will kill you, you son of a bitch". I never saw him before. I don't know what he hit me with; it felt like a hard instrument. . When arrested I said I thought Carey had a pistol in his hand. I did not see one; I don't know whether he had one or not. . I aimed for his leg; I tried to keep the revolver towards the ground. I didn't draw the pistol; I had it in my hand. I was protecting myself against the onslaught of the official. It was done on the impulse.

Redirect examination:

The names I gave when I was arrested, I did not live under. I was indicted under my right name. How the Grand Jury got oit I don't know. The watch I had on in the Jefferson Market was my own. My back was to Carey when he struck me first. If I wanted to shoot him I had opportunity. I don't know the man Rob's last name or where he is, or whether he had a pistol with him that night. I tried to find him. I only met him two

or three times. Mrs. Kearner never said to me "Don't go out Dave, you will get in trouble".?. I deny that Hurley told me there had been a till tapped and that Carey was after me. Hurley told me he had been arrested and that they asked him if he knew Dave Wheeler, and he said he did not. I said then that I was not the party; there was a mistake. I got out of prison on the 2nd of June 1892. I went to work for Schneir a week afterwards. I was allowed deductions for good behaviour. I worked for Schneier until September, after that I worked for Flynn for four days. I haven't worked since.

When arrested I said it was a case of persecution on the part of the officer who struck me. I had done nothing at all; I was doing nothing. It was after I had heard Vallely say "It is John Carey", that I made the remark about persecution. These storm doors were both off; there was no doors.

Defense rests.

MICHAEL GOULD, a witness for defense, recalled.

I know Hickey. I deny that I tried to slip him a piece of paper to him. The pistol you show me is not mine. I got it out of the bureau drawer. The first I saw of that pistol was the morning before the shooting when I got up about 11 o'clock

Q You never saw it before? No sir, not this one; not the one I handed to the defendant.

Q Is that the one you handed to the defendant?

A It looks something similar; it might have been

changed since the time I saw it. I gave him the pistol to borrow money on. It was not mine; but as long as it was there I thought I had the privilege of giving it to him. I saw no other pistol there.

WILLIAM HICKEY, a witness for the People, recalled:

Mike Gould came to see me at the house of Detention and handed me a paper. I tore it up. I did not have the defendant's pistol before the shooting. I have seen him with a pistol before the shooting. My own pistol was on me when I was arrested. It is the pistol which you show me. I ^{bought} ~~beat~~ it for twenty five cents from a boy. I didn't borrow it from the defendant. It was broke when I gave the boy twenty five cents for it. I have not been in the hands of the police before. I am not the leader of any Texas Row gang. My friends are in 54 Street. I didn't talk to any detectives about this pistol business this morning. I have been sitting in Court all the morning. I worked for the Dock Department for three years.

GEORGE DORAN, a witness for the people, recalled:

When O'Toole gave a description of the felony at his place Carey was present. He described him as a short man with a black mustache. Carey was present. He and I were looking for the man on the night of the shooting. When the complaint was made in regard to this larceny at the saloon, we went up to see the bartender O'Toole. He described the man he suspected of it; he said he was

between twenty five and thirty years of age. We went to look for the person described. Wheeler was known to the police as a till tapper. We believed that he corresponded to the description. We had no other description than the one I said. The reason we did not arrest him when we saw him crossing the street was because we saw this drunken man on the other side, and we saw his friend go over and get a good look at the man, and I thought if we waited we would get in the act of robbing this man. The till was tapped somewhere about the 25th of October.

Testimony closed.

0180

Indent newly filed Nov, 17th 1892

Out of General Decatur's

Page 3

The People's

5

David Wheeler,

Adopt each of the testimony
on trial Feb 14th

are the a(7.4h 14.1h

102

Court of General Sessions of the Peace

OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK,

against

David Wheeler, otherwise called James D. Blanchard, otherwise called Charles E. Morrell

The Grand Jury of the City and County of New York, by this indictment, accuse *David Wheeler, otherwise called James D. Blanchard otherwise called Charles E. Morrell,* of the CRIME OF MURDER IN THE FIRST DEGREE, committed as follows:

The said *David Wheeler, otherwise called James D. Blanchard, otherwise called Charles E. Morrell,* late of the City of New York, in County of New York aforesaid, on the *third* day of *November,* in the year of our Lord one thousand eight hundred and ninety *two*, at the City and County aforesaid, with force and arms, in and upon one *John Carey* in the peace of the said People then and there being, wilfully, feloniously and of *his* malice aforethought did make an assault; and the said *David Wheeler, otherwise called James D. Blanchard, otherwise called Charles E. Morrell,* a certain pistol then and there charged and loaded with gunpowder and one leaden bullet, which said pistol the said *David Wheeler, otherwise called James D. Blanchard, otherwise called Charles E. Morrell* in *his* right hand then and there had and held, to, at, against, and upon the said *John Carey,* then and there feloniously, wilfully and of *his* malice aforethought, did shoot off and discharge, and the said *David Wheeler, otherwise called James D. Blanchard, otherwise called Charles E. Morrell,* with the leaden bullet aforesaid, out of the pistol aforesaid, then and there by force of the gunpowder aforesaid, shot off, sent forth and discharged, as aforesaid, *him* the said *John Carey,* in and upon the abdomen of *him* the said *John Carey* then and there feloniously, wilfully and of *his* malice aforethought, did strike, penetrate and wound, giving to *him* the said *John Carey,* then and there, with the leaden bullet aforesaid, so as aforesaid discharged, sent forth and shot out of the pistol aforesaid, by the

said David Wheeler, otherwise called James D. Blanchard,
~~said otherwise called Charles E. Morrell~~, in and upon the abdomen of
the said — John Carey, — one mortal wound of the breadth of
one inch, and of the depth of six inches, of which said mortal wound — ~~he~~ — the
said John Carey then and there died. ~~at the City and County aforesaid,~~
~~from the said~~ ~~day of~~ ~~in the~~
~~year aforesaid, until the~~ ~~day of~~ ~~in the same year~~
~~aforesaid did languish, and languishing did live, on which said~~
~~day of~~ ~~in the year aforesaid, the said~~
~~at the City and County aforesaid, of the said mortal~~
wound did die.

AND SO THE GRAND JURY AFORESAID do say: That the said David
Wheeler, otherwise called James D. Blanchard,
otherwise called Charles E. Morrell, him, —
the said — John Carey, — in the manner and form, and by
the means aforesaid, wilfully, feloniously and of — his — malice aforethought, did kill
and murder against the form of the statute in such case made and provided, and against the
peace of the People of the State of New York and their dignity.

DE LANCEY NICOLL, District Attorney.

0183

BOX:

504

FOLDER:

4590

DESCRIPTION:

Wheeler, William

DATE:

11/01/92



4590

Witnesses:

off Roling

Counsel,

Wm Keller

Filed, *Nov 1* day of *Nov* 189*7*

Pleaded *Not Guilty*

THE PEOPLE

28
39 *vs.*
Butler.

CONCEALED WEAPON.
(Section 410, Penal Code.)

William Wheeler

DE LANCEY NICOLL,

Part 2 - Am. 2392
Reads Equity District Attorney.

Pen 30 days.

A TRUE BILL.

B. Lockwood

Foreman.

Reads Nov 11 - Mar 23
Nov 18/97 - G.L.B. - 2392
G.L.B.

0185

Sec. 198-200.

2 District Police Court.

CITY AND COUNTY } ss.
OF NEW YORK }

William Wheeler being duly examined before the under-
signed according to law, on the annexed charge; and being informed that it is *his* right to
make a statement in relation to the charge against *him* that the statement is designed to
enable *him* if he see fit to answer the charge and explain the facts alleged against *him*
that he is at liberty to waive making a statement, and that *his* waiver cannot be used
against *him* on the trial.

Question. What is your name?

Answer.

William Wheeler

Question. How old are you?

Answer.

27 years

Question. Where were you born?

Answer.

Virginia

Question. Where do you live, and how long have you resided there?

Answer.

No home

Question. What is your business or profession?

Answer.

Laborer

Question. Give any explanation you may think proper of the circumstances appearing in the
testimony against you, and state any facts which you think will tend to your
exculpation?

Answer.

*I am not guilty**William Wheeler*Taken before me this
day of

Police Justice.

0186

It appearing to me by the within depositions and statements that the crime therein mentioned has been committed, and that there is sufficient cause to believe the within named Depner

guilty thereof, I order that he be held to answer the same, and he be admitted to bail in the sum of Ten Hundred Dollars, and be committed to the Warden and Keeper of the City Prison of the City of New York, until he give such bail.

Dated, Oct 10 189 John Ryan Police Justice.

I have admitted the above-named _____
to bail to answer by the undertaking hereto annexed.

Dated, _____ 189 _____ Police Justice.

There being no sufficient cause to believe the within named _____
guilty of the offense within mentioned, I order he to be discharged.

Dated, _____ 189 _____ Police Justice.

Police Court---

1340
District

THE PEOPLE, &c.,
IN THE COMPLAINT OF

Frank [illegible]
vs.
William Wheeler

2

3

4

Dated,

189

Magistrate.

Officer.

Precinct.

Witnesses

No.

Street.

No.

Street.

No.

Street.

\$ *1000* to answer

JS

Wheeler

BAILED,

No. 1, by

Residence

Street.

No. 2, by

Residence

Street.

No. 3, by

Residence

Street.

No. 4, by

Residence

Street.

0 188

Court of General Sessions of the Peace
OF THE CITY AND COUNTY OF NEW YORK.

THE PEOPLE OF THE STATE OF NEW YORK

against

William Wheeler

The Grand Jury of the City and County of New York, by this indictment accuse
William Wheeler
of a FELONY, committed as follows:

The said *William Wheeler*
late of the City of New York, in the County of New York aforesaid, on the *25th*
day of *October* in the year of our Lord one thousand eight hundred and
ninety-*two*, at the City and County aforesaid, with force and arms, feloniously did furtively
carry, concealed on his person, a certain instrument and weapon of the kind commonly known as
a slung shot with intent then and there
feloniously to use the same against some person or persons to the Grand Jury aforesaid unknown,
against the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

SECOND COUNT—

And the Grand Jury aforesaid, by this indictment further accuse the said
William Wheeler
of a FELONY, committed as follows:

The said *William Wheeler*
late of the City and County aforesaid, afterwards, to wit: on the day and in the year aforesaid, at
the City and County aforesaid, with force and arms, feloniously did possess a certain instrument and
weapon of the kind commonly known as *a slung shot*
by him then and there concealed, and furtively carried on his person, with intent then and there
feloniously to use the same against some person or persons to the Grand Jury aforesaid unknown,
against the form of the statute in such case made and provided, and against the peace of the People
of the State of New York and their dignity.

DE LANCEY NICOLL,
District Attorney.